QA/QC & PROCEDURES MANUAL

ENVIRONMENTAL DOCUMENT QUALITY & DELIVERY GUIDANCE















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EXECUTIVE SUMMARY

The Arizona Department of Transportation's (ADOT) vision is to be the standard of excellence for transportation systems and services. One strategy to help achieve this is by continuously evaluating all processes to determine new approaches and efficiencies to ensure that we deliver quality service. Environmental Planning (ENV – short-hand throughout this document) is strongly committed to producing quality documents and providing excellent customer service to internal and external customers including internal ADOT Divisions, federal, state and local government agencies, tribal communities, and the public.

ENV established a Quality Assurance/Quality Control (QA/QC) & Procedures Manual to ensure that the overall quality and efficiency of products and services provided to our customers is exceptional. This manual provides internal procedures, guidance on producing quality documents, identifies the staff responsible for performing activities and verifying compliance; and also provides templates and tools for successfully implementing this manual.

This manual will be implemented by project teams during the preparation and review of environmental documents that meet federal, state and local laws, rules and regulations. Because these documents are made available to a broad audience, they require accurate information, should be well-written, easy to read, and provide full and honest disclosure. This manual is designed to provide directions to assist project teams in meeting these requirements.

ADOT and the Federal Highway Administration (FHWA) have agreements in place to help deliver the Federal-Aid Highway Program. This manual will assist ADOT in conforming to the stipulations of the FHWA-ADOT Memorandum of Understanding (MOU) for the State Assumption of Responsibility for Categorical Exclusions under 23 U.S.C 326. The FHWA-ADOT MOU requires ADOT to maintain QA/QC procedures. This manual ensures that ADOT ENV staff fully understand the provisions of the MOU and what is required of ADOT to retain approval authority for (c) and (d) listed Categorical Exclusions (CE). This manual also includes direction on how to process unlisted (d) or individually documented CE's, Environmental Assessment's (EA) and Environmental Impact Statements (EIS) that are still the responsibility of FHWA. And lastly, this manual provides direction on ENV roles and responsibilities, documentation requirements, environmental analysis internal procedures, documenting QA/QC reviews, checking of environmental commitments, exercise of proper approval authority, and the execution of proper filing conventions and record keeping.

This is a living document and will continue to be updated as we continue to refine and improve our process. ADOT will soon be applying for NEPA Assignment and therefore EA and EIS guidance in this document will be updated soon.



1. INTRODUCTION & DEFINITION OF TERMS

Quality products and quality service are of utmost importance in ENV. Quality Assurance and Quality Control (QA/QC), as well as ENV's customer service policy are defined below.

1.1. Quality Assurance (QA)

Quality Assurance is defined as a system for ensuring a desired level of quality control in the development, production, or delivery of products and services. A quality assurance system is employed at the management level to ensure that prudent QC procedures and tools are in place and are being carried out, with the desired result of quality professional services being achieved. ENV defines QA as preventing problems, monitoring, and self-assessing.

1.2. Quality Control (QC)

Quality Control is a system for verifying and maintaining a desired level of quality in technical analysis and documentation through careful planning and use of proper checking against standards and verification of products. A quality control system is routinely employed at the production and administrative levels. ENV defines QC as the day-to-day effort of identifying and correcting problems.

1.3. Customer Service Policy

ENV's customer service standards outline the necessary time and manner in which our services are delivered to our customers. These standards are made available to guide ENV staff on how and when services and products are delivered to our customers including: ADOT Management, ADOT divisions and project teams, outside agencies, tribes, and the public. In all contact with customers, ENV staff should aim to exceed the customers' needs while representing the agency.

Customer Service Goals

ENV consistently strives to exceed our customers' expectations by achieving the following goals:

- Deliver products and services at the agreed upon time.
- Listen to, accept, and act upon customer feedback.
- Assist all customers in defining their needs and requests.
- Provide courteous, prompt and professional customer service.
- Deliver the highest quality products and service with the goal of exceeding customer expectations.



1.3.1. Engage Customers Proactively

Exceptional customer service requires both responding well when customers contact them, but also taking the initiative to contact customers. Proactive communication anticipates questions before they are raised or before issues occur. In general, customer enquiries should be responded in the format they are received. For example if ENV receives a letter, staff should respond by letter. If staff receives an email, they should respond by email. However, if a time constraint or a miscommunication exists, another format may be used when appropriate. For example if a letter is received but there is a sense of urgency in the need for a response an email or phone call may be appropriate. In addition, communication between agencies should be federal to federal, state to state, etc. Consultants should only communicate with other agencies through ENV staff. Consultants may directly transmit information and documents to agencies when preapproved to do so by ENV. The Environmental Planner shall be copied on all such transmittals. For additional communication protocols, please reference chapter 4 and the technical and planning procedures sections.

1.3.2. Telephone & Voicemail

Staff should answer the telephone within two to three rings. Use of voicemail will be kept to a minimum. When answering a telephone call, staff should greet the caller and identify themselves giving their name and department. For example: "Hello, ADOT Environmental Planning this is <u>insert name</u>." Staff will remain polite at all times and assist their caller where possible.

All staff member phones are to have voicemail accounts with a professional recorded message informing callers, if staff members are out of the office, to leave a voicemail. Staff will respond to messages left on voicemail as soon as possible upon their return to the office. Documenting project related phone conversations in the Project Tracking System (PTS) or on a phone log is recommended and required if it is a project related decision.

1.3.3. Email

All staff members are expected to adhere to ADOT's internet and email policies.

All staff emails will contain a consistent signature block including the staff person's name, title, department, telephone number and ADOT logo. Refer to the <u>ADOT graphics</u> website for more information.

Emails should be responded to as soon as possible and at minimum within two business days. Critical items should be responded to between four hours to one day by email. If appropriate, an email should be marked as urgent in the subject line. If a response is going to take longer than the timeframes noted above, the inquirer will be informed by



ENV of the progress and a realistic timeframe set for resolution. This can be simply done by letting the caller know you will find an answer to their question and get back to them at an agreed upon date.

Be selective and inclusive when distributing emails. Not all messages should be sent to every customer every time. Do not "reply all" if the topic is not important to everyone on the distribution list. There should be no "tone" or indignation expressed in any emails. Use discretion and judgment when forwarding emails you have received from others. Emails that may be of a more direct internal nature may not be appropriate for sending to outside partners and stakeholders. In such cases, create a new email to convey the necessary information.

Staff should respond by email in a professional, positive, courteous and helpful manner. Punctuation that can be interpreted as yelling (exclamation marks or all capitalized letters) should not be used. Use highlighting to point out key facts or information if necessary. Staff should write clear and concise emails that provide enough information to answer questions. Use spell check before sending. If discussions become lengthy or very detailed a phone call or in-person meeting is recommended.

All project related emails shall contain the ADOT TRACS Number, project name, and topic within the email subject line. In addition, for emails sent that include representatives of FHWA, the Federal-aid Project Number shall also be included. For example "subject: H8485 / 060-B-NFA / Draft CE for your review".

When staff members are out of the office during work hours, the Microsoft Office "Out of Office Assistant" should be activated with a personal message informing customers who to contact in their absence and when they will be able to respond to emails.

1.3.4. Letter Inquiries

All letters will be on current ADOT ENV letterhead, with the exception of letters sent through the FHWA or on behalf of Local Public Agency (LPA) projects. For letters processed by FHWA (for projects not developed under the CE MOU), such as cooperating agency or consultation letters refer to FHWA Letter Formatting Guidance (See Appendix).

For scoping letters, refer to the <u>ADOT Environmental Planning Guidelines for Agency and Public Scoping for Projects with Categorical Exclusions</u> for writing and responding to inquiries. The scoping guidelines can also be used as a general guide for scoping for EA and EIS processes. The project information and scope of work description shall be reviewed by the ADOT Project Manager prior to sending letters to the customer. LPA project scoping letters and responses will be on the local agency letterhead. LPA scoping letters can also go out under the LPA's consultant or the ADOT on-call consultant's



letterhead if the letter asks for comments to be submitted to the LPA c/o of the consultant.

All response letters (for scoping, consultation, etc.) should thank the recipient for their response and staff should directly and concisely address their comments and/or questions using plain English without technical terminology, unless necessary. All draft response letters to inquiries received shall be reviewed by the ADOT Project Manager.

1.3.5. Face to Face Meetings

Where staff members meet face-to-face with customers, regardless of location, they will greet customers immediately as they present themselves. Staff should address a customer inquiry quickly and in a professional, courteous and helpful manner.

When scheduling meetings, reasonable advance warning should be provided and include date, time, location, contact person, phone number and subject of the meeting. Where appropriate, agendas shall be made available to keep meetings on schedule especially if many items are to be discussed. If there are schedule changes or cancelations, reasonable notice should be given. Meetings will start and end on time, and be conducted in a professional, respectful and courteous manner. Prior to sending meeting invitations, be selective and ensure the appropriate people are invited.

1.3.6. Referrals

If a staff member is unable to respond to an inquiry, every effort should be made to refer the inquirer on to the person best able to help them. If a person is being referred by email or phone to a different division or colleague, a relevant direct phone number and/or email address will be given.

1.3.7. Cover for Colleagues

To maintain excellent customer service within ENV teams, annual leave will be coordinated with their direct supervisor. Staff members are expected to provide coverage within their own teams and arrange for a 'back-up' to attend any critical meetings missed while on leave. If staff are planning on taking annual leave, supervisors will be updated on the status of their projects prior to leave. ENV Staff is responsible for completing their projects on schedule regardless of vacations or other absences and should make arrangements if an activity or assignment is due during the scheduled leave.

1.3.8. Document Requests

If staff is asked by anyone (outside of the normal day-to-day project information sharing) for ADOT related documents they should be directed to suitable existing online information (i.e. ADOT Statewide Project website (azdot.gov/projects). For all other requests direct them to inquire through ADOT Safety and Risk Management (SRM). SRM



is part of the Administrative Services Division which is under Business Operations. Procedures for requesting public records can be found here: <u>Public Records Request Instructions</u>.

All CE projects that fall under the 326 CE MOU shall adhere to the Arizona State Records Request Law which is comparable to the Federal Freedom of Information Act (FOIA). All other projects that are not covered under the 326 CE MOU are subject to both the state and the federal public records request. When in doubt, contact ADOT's SRM office for direction as noted above. If files are requested by ADOT attorneys, responding to their request may include consolidating files from your email account, the G-drive, AIDW and PTS, and hard copy files.

1.3.9 Media Requests

For media inquiries, direct customers to the Public Information Officer in ADOT Communications. Never respond to inquiries yourself.

1.4. Monitoring QA/QC

ENV will compare their customer service performance against other leading agencies and organizations in order to maintain high standards, foster growth, encourage learning, and provide continuous improvement.

1.4.1. Continuous Monitoring

Each staff member will monitor their own performance against the standards in this manual. Frequent supervisor feedback to staff on document quality, delivery and customer service performance will also be provided so staff members know if they are meeting the goals stated within this manual. Direct feedback and annual performance reviews provide an opportunity to make staff aware of any room for performance improvement. Supervisors should recognize teams and individuals who demonstrate outstanding customer service and performance. This can be delivered by direct feedback, through a GEM (Going the Extra Mile) award, or other ADOT available incentives and awards programs.

1.4.2. Annual Self-Assessment and Performance Measures

ADOT strives for continuous improvement, therefore staff performance regarding customer service, document quality and delivery will be assessed on an on-going basis by their supervisor in conformance with ADOT policies.

In addition, certain performance monitoring and quality assurance activities are required by FHWA under stipulation IV(F) of the 326 CE MOU. ADOT shall perform the following items:



- 1. Compile a list of CE determinations and Section 4(f) determinations that the state has approved every 6 months. This is to be completed by the ADOT NEPA Assignment & Major Projects Manager.
- 2. Prepare a self-assessment report summarizing ENV performance under the 326 CE MOU. This is required 30 days prior to a FHWA scheduled monitoring review. This is to be completed by the ADOT Planning Section Manager.
- 3. Maintain electronic project records and general administrative records pertaining to the 326 CE MOU. This is to be completed by all ENV staff. And will be periodically reviewed by an ENV staff member to ensure staff are creating and organizing project folders correctly. FHWA may request these records within five (5) business days. These records are to be retained for a minimum of three (3) years.

FHWA will periodically review ADOT's records and performance under the 326 CE MOU. Please refer to the 326 CE MOU for more specific information regarding this.

<u>Section 6004</u> of 23 U.S.C. 326, as noted in the CE MOU, provide guidance on performance measures that FHWA will consider when evaluating ADOT's performance in the CE Assignment Program. The five quality measures for state performance are provided below.

- CE decisions are appropriately and timely documented.
 ADOT will implement the procedures outlined in this QA/QC & Procedures Manual.
 This manual's procedures rely on established ADOT and FHWA documentation practices developed with FHWA oversight. Such practices are described in this manual and appendices.
- 2. <u>CE decisions are factually and legally supportable at the time the decision is made.</u>
 ADOT has implemented specific project technical review and decision making practices as outlined in this manual and its appendices. Such technical procedures rely significantly upon various programmatic agreements and memorandum of understandings listed in Appendix B.
- 3. <u>CE decision-making procedures comply with NEPA, 23, CFR 771.117, and the MOU.</u> ADOT implements the procedures outlined in this manual. At significant project decision points, responsible parties act in accordance with these procedures. As ADOT gains experience in implementing MOU requirements, this manual and other ADOT guidance and procedures will continue to be improved and refined, in accordance with MOU provisions.
- 4. The State has met staffing and quality control requirements of the MOU.



ADOT, in the course of expected administrative practice, reviews staff performance, project workloads, and document quality in accordance with employee Human Resource evaluation programs and the Governor's Office of Arizona Management System (AMS) government streamlining and efficiency programs. Such routine review of staff performance and staffing levels are conducted to ensure ADOT can meet the requirements of the CE MOU.

- 5. The State has complied with other Federal and State legal requirements.

 ADOT, during the course of project delivery, reviews projects for applicability with other federal and state programs. Clean Water Act and the Clean Air Act are examples of legal programs ADOT routinely assesses for applicability and impact analysis during the NEPA process. Such assessment is documented according to procedures outlined in this manual.
- 6. The State has complied with record keeping requirements.

 ADOT will implement the procedures outlined in this manual and the attached appendices. Conformance with project record keeping requirements, have been and, will remain a key performance measure of staff performance assessment. ADOT will, on occasion, conduct internal independent specific project record keeping audits for quality control purposes to ensure conformance with MOU requirements.



2. TRAINING PROCEDURES

To ensure ADOT has highly-qualified and knowledgeable staff, training and familiarization will be required of all staff. Staying up-to-date with the latest guidance, regulations, etc. is the responsibility of each staff member and their supervisor.

2.1. Staff Training

Managers/supervisors are responsible for assuring that staff receives required orientation, corporate, safety, and skills training. ADOT required training can be found on the ADOT Learning Center under "My Training Plan". The Environmental Planning training requirements are identified in the ADOT Environmental Training Plan, Catalog, and the Environmental Planning Staff Training spreadsheet (located in G: /ENV/NEPA Assignment/Training). In addition to this formal training, staff and their supervisors will regularly communicate when new requirements or policies come about that affect procedures. This can be completed in staff meetings or informally.

2.2. Tracking & Monitoring

Training of staff will be tracked via the Environmental Planning Staff Training Spreadsheet. Supervisors are responsible for inserting the staff member's name in the far left column and assigning the appropriate "function" to their individual staff members (e.g. "HPT" [Historic Preservation Team Specialist], "Biologist", "Manager") by selecting from the drop-down menu to the right of each name. The supervisor is responsible for updating the "function" if the staff members role or positions changes while at ADOT.

The spreadsheet will indicate the mandatory training for each staff member based on the function which is assigned. Required training is shown in the row of each individual. The required courses are shown as green, pink and/or white boxes. Additional courses that a staff member completes, but that are not required, can be tracked by inserting a completion date. However, the box should remain grey in color. There is a separate tab at the bottom of the excel worksheet with a "Legend-Key" that explains the color-coding. Individuals are required to complete the training courses listed for each individual on the spreadsheet. Supervisors are to ensure their staff complete the required training and document this by entering the training completion dates into the spreadsheet, beneath the title of the course. Supervisors are required to update the spreadsheet periodically.

In order to determine if a course was successfully completed, the individual has to attend the course. Some courses may also require a grade, score, or certification at the end to determine successful completion. This will depend on the course. This can also be used to determine successful completion.

The Environmental Training Officer will review of the Environmental Planning Staff Training Spreadsheet on an annual basis and will verify completion dates using the ADOT Learning



Management System (LMS). The Training Officer will inform staff and/or their supervisor of courses they are deficient in.

2.3. Training Classes

Managers, Program Coordinators, Technical Specialists, and Subject Matter Experts must inform the Environmental Training Officer if they identify changes in regulations, guidance, procedures, new manuals, etc. that affect current training requirements, or that may give rise to new training requirements. Additionally, performance measures that may indicate the need for changes to current training or the need for additional training should be identified.

If ADOT will be hosting or conducting environmental training classes (e.g. vendor training, FHWA Resource Center, National Highway Institute, US Fish and Wildlife, etc.), the Environmental Training Officer must be notified. The Environmental Training Officer shall schedule/enter these courses into the LMS, advertise classes to the appropriate audiences, and document completion of the courses. The host/instructor is responsible for ensuring attendance is recorded (sign-in roster). Individuals and their supervisors are responsible for documenting course completion in the ENV Staff Training Spreadsheet.

There is no requirement to complete courses in a certain order or sequence. It is preferred to take courses in a logical sequence, such as taking introductory NEPA courses before taking the advanced NEPA courses. However, the availability of the courses and the needs of the office and individuals will be assessed to determine when courses will be requested and taken.

Courses can be provided by ADOT, the FHWA Resource Center, the National Highway Institute (NHI), or other vendors. If staff would like to take additional courses not listed in the catalog or provided by the above referenced sources, they should discuss this with their supervisor.

2.4. New Hires

Newly hired ENV staff are required to complete assigned environmental training within one year of hire or assignment to the current position. Supervisors should add newly assigned individuals to the Staff Training Spreadsheet and assign them the appropriate function within their first month. Each supervisor should discuss staff development needs, prior training, and additional training opportunities with their staff. Prior training which is equivalent to assigned training requirements should be identified and documented (coordinate with the Environmental Training Officer).

In addition to ADOT's general on-boarding requirements, ENV supervisors should provide a binder of procedures and policies to the new staff for their familiarization. Supervisors are also required to create a calendar for their first month at ADOT with opportunities for the new employee to shadow other ENV and project development staff. Shadowing opportunities could cover the following topics, including but not limited to:



- How to use the essential computer programs (G-drive, AIDW, PTS and PIRT)
- How to maintain project records
- General overview of the CE process
- Complete a construction site visit
- Attend project progress meetings, partnering meetings, and kick-off meetings
- Shadow Environmental Planners and/or Technical Specialists
- Introduce them to other ADOT divisions, FHWA staff and other Agency staff as needed



3. PROJECT ASSIGNMENT

Quality Management begins with assigning the most appropriate person to a given task. Each member of the project team is responsible for controlling the quality of the environmental products. Team members assigned to a particular project are chosen based on experience, expertise, and workload. Procedures on how projects are assigned to staff members are described below, in addition to the questions and tasks that should take place in the early stages of project assignment.

3.1. Assignments

ADOT projects originate in the Planning and Programming Group within the Multimodal Planning Division (MPD). LPA projects originate from the individual community and ENV is informed by the ADOT LPA Group. ENV is informed of new projects from the Project Management Group. All new projects requiring assignment should go directly to the ENV Administrator as the primary contact and to the Project Delivery Manager as a secondary contact. If requests for assignment are sent directly to the Environmental Planners or Technical Specialists, those should be forwarded to the ENV Project Delivery Manager. The Project Delivery will assign the project to one of the planning team leads (Senior Environmental Planner) and concurrently send to the technical area team leads for assignment. The ENV planning team lead will assign the project to the most appropriate Environmental Planner based on past experience, geographic location, scale and complexity of project, and their current workload. It is the responsibility of the Environmental Planner to proactively *lead* the coordination with the technical disciplines within ENV once the project is assigned.

Although one individual may have numerous projects assigned to them, generally not all projects are moving concurrently or at the same relative pace. All projects will be at different stages in the development process and may require more or less work-hours during a given period of time. In order to effectively manage multiple projects it is important to track progress in the available computer data programs and electronic storage folders as projects and people assigned to them occasionally change.

3.2. First Steps after Project Assignment

When initially assigned a project, the Environmental Planners shall first update the Project Tracking System (PTS) with their name and any project related information. See section 3.7.1. for more information on PTS (see Appendix). Next, they are to introduce themselves to the ADOT Project Manager and notify them that they will be the environmental point of contact and request to be added to the project distribution list. As project information is accumulated, a digital project folder shall be created by the Environmental Planner or Technical Specialists under the G-drive where all files and emails are to be saved (see section 3.7.2.).

The following are important questions the Environmental Planner should ask the ADOT Project Manager when assigned a project:



- What is the current stage of development (scoping, study, or final design)?
- What is the proposed scope of work and will an engineering scoping document (also known as a Project Assessment or Scoping Letter) be completed?
- Has a project schedule been created? What is the bid ready date?
- Does the project have Federal Authorization?
- Which sub phase should Environmental Staff charge to?
- Have staff and consultant budgets already been established?
- Is there an engineering and/or environmental consultant on-board that I should coordinate with?
- Is the project currently programed in the State Transportation Improvement Program (STIP)?
- Does the project have fiscally constraint? Please reference this FHWA memorandum "Clarifying Fiscal Constraint Guidance".

Once the above questions are answered, the Environmental Planner shall share this information with all of the Technical Specialists (Air, Noise, Hazmat, Biology, Cultural, and Water Resources) to determine if the use of an environmental consultant will be needed. The Environmental Planner should ask the Technical Specialists what level of analysis is needed (such as Biological Evaluation vs. Biological Evaluation Short Form).

This information will be documented on the Project Data Sheet (PDS) (see Appendix) and provided to the environmental consultant so that they can prepare their scope and cost estimate. Based upon the scoping document, the Environmental Planner should coordinate closely with the ADOT Project Manager on the schedule and contracting of the environmental consultants and the management of budgets. If the ADOT Project Manager utilizes an environmental consultant, the Environmental Planner should review the scope and fee estimate to ensure the appropriate tasks are included. If you have an LPA project, the local agency hires the consultant or they hire ADOT to represent them by hiring consultants under the Project Management on-call process. The Environmental Planner should always know who the consultant is working for. The Environmental Planner and Technical Specialists should still provide the PDS form or some direction on what is needed to complete the environmental process. For more information about the PDS form, reference Chapter 4 and the Appendix.



3.2.1. Projects

Keep in mind that the end product of the sum total of professional services provided during the development process is a safe, efficient high-quality transportation project that will serve the citizens of Arizona who fund the transportation system.

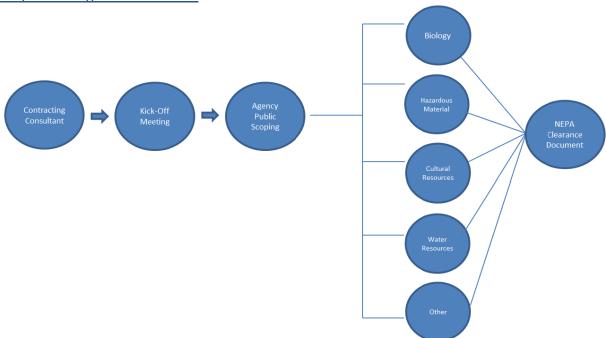
State Route (SR) 69 and SR 89 Interchange in Prescott, Arizona



4. PROJECT MANAGEMENT

Project Management is the process and activity of planning, organizing, controlling resources, and following procedures and protocols to achieve a specific goal, by the application of knowledge, skills, and techniques to execute a project effectively and efficiently; a methodical approach to planning and guiding a project from start to finish. Effective project management helps carry out large-scale projects on time, on budget and with minimal disruption to the rest of the organization. This chapter will provide guidance on communication and consultant management in addition to the three main components of project management (scope, schedule and budget).

For more guidance on National Environmental Policy Act (NEPA) project management see the American Association of State Highway and Transportation Officials' (<u>AASHTO</u>) "Effective Project Management for NEPA".



4.1. Environmental Planning Roles

The Environmental Planner and Technical Specialists each play a critical role in a project's success. While it is important to effectively and efficiently manage your "piece of the puzzle", each should contribute to the management of the overall project and assist the ADOT Project Manager to deliver the ADOT Five-Year Construction Program within budget and on time. It takes a cooperative team effort to meet these goals.



The ENV project team is a QA feature, in that it ensures that the persons producing and approving documents communicate mutual expectations about what is needed for a project. Consistent interaction between the project team is intended to resolve most, if not all problems, before the documents are completed and ready for review. As a result, when a document is sent around for reviews, it should be a final draft ready for approval. The team ensures that the environmental commitments are communicated from environmental approval through design and documented in the special provisions and bid packet. The Environmental Planner may assist the Resident Engineer (RE) with environmental issues that arise during construction. The RE is the ADOT lead during construction and the primary point of contact for all issues construction related.

The Environmental Planner leads the NEPA approval process which includes managing the project's environmental schedule, scope, budget and end products that are in compliance with NEPA rules and regulations. The Environmental Planner is responsible for coordinating and communicating closely with the ADOT Project Manager, the LPA environmental coordinator/contact, FHWA (for projects not covered under the 326 CE MOU), the Technical Specialists assigned to the project, and the ADOT Districts. ADOT Districts play a key role in ensuring that environmental commitments, permits, and guidelines are constructible and agreed upon. Environmental Planners are required to review each stage of plans and ensure that the mitigation measures are incorporated into the special provisions.

Technical Specialists manage and approve technical analysis, reports, technical work schedules and budgets that are in conformance with their related environmental rules and regulations. The Technical Specialists are responsible for coordinating closely with their project Environmental Planner and recommending and creating environmental commitments that are clear, reasonable, and constructible.

Coordination between these three key players, the Environmental Planner, Technical Specialists, and consultants is essential in helping complete the full environmental effort for each project and assisting other divisions in meeting project deadlines and adhering to budgets.

4.2. Communication & Coordination

Communication and coordination are essential for project management. Maintaining early, open, regular, and accurate channels of communication at all levels of project staff is vital to ensure the smooth flow of information and instruction from project partners and regulatory agencies. It also permits for early warning of risks and changes which enable assessment and timely resolution.

4.2.1. Proactive Communication

Proactive communication that is timely and concise is imperative. For active projects, communicate continually with the ADOT Project Manager, the project consultants. For projects not covered under the 326 CE MOU it's also important to keep the FHWA Area



Engineer and Environmental Coordinator informed. Do not wait for them to contact you. If there is a change to the project, the ENV team should be made aware. And likewise, if the environmental project team finds something that may impact the scope, schedule or budget, the Environmental Planner should inform the ADOT Project Manager as soon as possible. Be adaptable to changes throughout the process but notify the ADOT Project Manager of their options in moving the project forward. In order for the project team to make accurate and informed decisions, all of the relevant information should be discussed.

The ADOT Project Manager is the main ADOT point of contact during project development and shall be included on relevant communications between ENV and the FHWA Area Engineer. The ADOT Project Manager and Environmental Planner shall be invited to ENV-initiated multidisciplinary environmental technical meetings with designers and outside agencies, the public or tribes to resolve project specific environmental issues.

4.2.2. District Coordination

It is important that the environmental team keep the District informed on environmental commitments as they will work with the contractor in the field to make sure these are carried out.

The environmental team is required to coordinate with the District when the following items are involved during design:

- Avoidance Commitments If the Technical Specialist finds that a project requires an avoidance area commitment for cultural, biology or Section 4(f) for example, the Technical Specialist must inform the Environmental Planner. The Environmental Planner will email a request to the District and ADOT Project Manager for consideration of the proposed avoidance areas. This request needs to be sent prior to including the avoidance area in consultation letters, design plans or the technical documents. The Environmental Planner will need approvals from both the District and ADOT Project Manager in order to move forward with the avoidance area. Also, the District may not be able to avoid these areas during construction and the team may need to find another creative way to avoid it or they may need to undertake the necessary steps to impact it. Communicate with your project team and Technical Specialists on all the options.
- 404 Permit Reviews This pertains to Pre-Construction Notifications (PCN) and Individual Permits, not Regional General Permits (RGP). The Environmental Planner, the 404/401 Program Coordinator, the ADOT Project Manager and the District need to review the permit applications prior to sending them to the Army Corps of Engineers (Corps). The Environmental Planner will need to coordinate these reviews.



• **Mitigation Measures** – If a technical analysis proposes to address project impacts by using mitigation measures not included on the Commonly Used Mitigation Measures, the Technical Specialist must inform the Environmental Planner.

The above listed requests need to be sent to the ADOT Project Manager and District for approval before including them in the technical documents. Be sure to email these requests to the District Engineer, the District Environmental Coordinator and the Transportation Engineering Specialist on the District Engineers contact list. The Environmental Planner only needs one person in the District to approve these requests, in addition to the ADOT Project Manager. If the environmental consultant sends this email request on the Environmental Planner's behalf, ensure that they send it to these three people at the District and that they copy the Environmental Planner on the email.

Please give the District a minimum of two (2) weeks to review these proposals. They may need three (3) weeks to review an Individual Permit. This is not a hard set timeframe; work closely with your teams and see how much time they need.

During construction, the ADOT RE is the primary ADOT contact and is responsible for communicating construction related environmental issues to the FHWA Area Engineer. The Environmental Planner and FHWA Environmental Coordinator should be copied on environmental related communications between the ADOT RE and FHWA Area Engineer. The Environmental Planner shall further coordinate with the appropriate ENV Technical Specialists and FHWA Environmental Coordinator as necessary.

ENV staff shall inform the ADOT RE when additional coordination with outside agencies is required to address environmental issues that arise during construction.

For projects in which ENV has an environmental consultant monitoring during construction, these monitors shall work directly with the ADOT RE to resolve issues in the field and shall keep informed of any issues that arise. Though under a design contract, environmental consultants need to be mindful that the ADOT RE is the primary ADOT contact for the project during construction and any issues in the field need to be communicated to the ADOT RE. ENV and the District Environmental Coordinator shall also be informed of environmental issues communicated between the monitor and the ADOT RE.

Resolution of environmental issues during construction shall follow the normal ADOT escalation process. Issues should be addressed at the lowest level and but may be raised to the "next level" as needed. If an on-call consultant or monitor is unable to resolve an issue with the RE, then they shall inform ENV.

4.2.3. FHWA and Agency Coordination



For projects covered under the 326 CE MOU, ADOT will make all decisions internally. Environmental staff should not engage FHWA staff on NEPA or environmental project-related questions.

For projects not covered by the 326 CE MOU, all Technical Specialists and Environmental Planners will discuss concerns internally within ENV and formulate a proposed solution before requesting FHWA's assistance in order to respect their time as a resource. It is likely other ENV staff has had similar questions or issues on a project and in-house resources can be used to solve the problem. The FHWA Area Engineer is the primary FHWA contact for matters related to project development and construction.

All NEPA documents requiring FHWA review and approval shall be transmitted from ENV to FHWA per the agreed upon protocol (refer to the CE Manual and EA Guidance). All environmental resource and/or consultation letters that are to be sent out on FHWA letterhead shall be sent directly to the Area Engineer or Environmental Coordinator to be reviewed and processed. See the ADOT/FHWA Communication Protocol and Document Coordination Bulletins (see Appendix). For specific technical direction, refer to the Technical Specialist Procedures.

Environmental Planners should follow the appropriate MOUs that exist between ADOT, FHWA and other agencies to follow appropriate coordination procedures and timeframes, and involve them early during scoping.

4.2.4 Early Agency, Tribal & Public Involvement

Early coordination with appropriate agencies and the public can assist in determining the type of NEPA document, the scope of work and the level of analysis. Communication with stakeholders should start early in project development and continue through design. Reference the CE Scoping Guidance on how to draft scoping and cooperating agency letters. For projects requiring outreach (CEs occasionally, EAs and EIS') reference the following resources for more guidance on outreach and coordination efforts:

- ADOT's Public Involvement Plan
- 23 CFR 771.111 Early Coordination, Public Involvement, and Project Development
- 40 CFR 1506 Other Requirements of NEPA
- FHWA's online Environmental Review Toolkit
- AASHTO Practitioner's Handbook #09 on Using the SAFETEA-LU Environmental Review Process

In addition, research any relevant Memorandum of Understandings that apply between ADOT and other agencies and follow existing guidelines for working on federal lands. Understand that many agencies have their own comprehensive or land use plans and other federal agencies may have their own NEPA requirements. Coordinate these efforts



early. If a Section 4(f) property is involved, reference the FHWA Section 4(f) Policy Paper and ADOT's Section 4(f) Manual for outreach requirements.

4.2.5 Decision & Conflict Resolution

Conflicts and indecision will stall projects. Open and honest communication must take place to resolve issues and to expedite decision-making. Project concerns or issues should not be left unaddressed to cause schedule and budget impacts. If an issue or concern is found, discuss the item right away with the appropriate person, team or team lead. If more people or agencies are needed to address the concerns, a meeting should take place to discuss and create a plan of action on how to resolve the issue. If a decision cannot be reached, or the team or an individual is uncertain on how to move forward or address a concern, it should be brought to your immediate supervisor as soon as possible. If the project is still stalled or the conflict is still unresolved, the issue needs to be escalated to the next level supervisor on both sides of the disagreement, and if necessary continue to escalate all the way up to the ENV Administrator. Always try to resolve issues at the lowest possible level. Do not escalate a small issue immediately to the highest level manager. If escalation is regarding a project, always keep the ADOT Project Manager informed of major project issues.

Conflict resolution applies within ADOT as well as with outside agencies, stakeholders, and District staff. Disagreement between the Environmental Planner and the ADOT Project Manager or technical staff needs to be resolved as quickly as possible. The same escalation steps apply with the immediate supervisor being the first step in the resolution process. Escalation should take place within five working days or less. Issues should not be left unresolved. For example, if a QA/QC review was requested and a certain due date was agreed upon by both people but not delivered, first communicate directly one-on-one. If a new date is agreed upon, then no escalation is needed. If however, no response is provided 5 days after an inquiry, the issue should be escalated to the next level supervisor until it is resolved.

Waiting for information can also delay a critical project decision or become a factor in the critical path of the schedule. This escalation process should also be employed if there is no response when critical information is needed to advancing the project development.

For conflict resolution between agencies, please reference the following guidance:

- FHWA Environmental Review Toolkit
- US DOT Collaborative Problem Solving: Better and Streamlined Outcomes for All
- <u>US DOT National Procedures for Elevating Highway and Transit Environmental Disputes</u>



4.2.6 Government-To-Government Consultation

Government-to-Government consultation is different than Section 106 consultation. This is a way that Tribes can escalate their concerns with ADOT to the Federal Government. If any Tribe makes a request for formal Government-to-Government consultation, that request needs to be forwarded to the FHWA Arizona Division immediately. A Tribe can request it based on any issue or concern that they have, biological, cultural, a disagreement, etc.

Once FHWA receives this request, their position is to act as a facilitator in bringing ADOT and the Tribe together to address the concern. FHWA will not make any decisions or reverse any decisions that ADOT has previously made. FHWA's role is to bring the two parties together and assist by mediating. There are no prescriptive procedures on how this will work, as each case presents different issues.

It is preferred that the Tribes make those requests directly to FHWA. However, if an ENV staff member receives a request in any format (email, letter, phone call) from a Tribe, they are to forward the request to Alan Hansen (alan.hansen@dot.gov) and copy ENV Administrator. When forwarding the request, please also include the specific project name and numbers that it is associated with.

4.3. Project Meetings & Scope of Work

Environmental Planners or their representing environmental consultant should attend all project progress meetings they are invited to, absent a scheduling conflict. Technical Specialists will be asked to attend progress meetings when there is a technical item on the agenda that requires their attendance. If you are unable to attend a meeting, inform the ADOT Project Manager or meeting host or have someone fill in for you if necessary. If you are unable to attend a meeting in person, ask for a conference call in number. Be inclusive, but selective when sending meeting invitations. Not everyone should attend all meetings. Be cognizant of people's time.

ENV attendance of project kick-off and field review meetings is important. The kick-off meeting is typically the first meeting with the project team and stakeholders of the project. This meeting introduces members of the team, their roles and an overview of the project and other planning elements. Some projects may have one kick-off meeting, while others may have a kick-off meeting at the start of the scoping phase and one at the start of the design phase of the project.

Internal Environmental Planning Kick-Off Meetings



As soon as the basic scope of work has been established for the project, an internal ENV kick-off meeting with the Environmental Planner and Technical Specialists should take place. It is suggested that all projects have an ENV kick-off meeting; however, it will be left to the discretion of the Environmental Planner whether or not to schedule the meeting. For example smaller projects with limited construction, with no impacts or projects with no construction at all may not require this level of coordination. These meetings will focus around discussing the project schedule, required coordination between technical disciplines, required project deliverables and any potential environmental concerns. The ENV kick-off meeting can take place before or after the ADOT project kick-off meeting. For example a project that involves a water crossing may require a pre-meeting with the Technical Specialists to determine who should attend the kickoff meeting.

The purpose of these meetings is to be proactive, incorporate early planning, foster close coordination, and anticipate and discuss concerns up front in an effort to reduce delays and unknowns later in the project schedule. For example if an Individual 404 permit is needed for a bridge project, the biology and cultural resources determination of effect is required in the application to the Army Corps of Engineers. The timing of these three components (biology, cultural resources and the 404 application) is essential to coordinate and is the responsibility of all parties in order not to adversely affect the schedule.

Project Kick-Off Meetings

The presence of an Environmental Planner and/or environmental consultant representative at the project kick-off meeting is essential. This attendance will lead to a better understanding of environmental requirements during the study, scoping or design phases. The ENV Environmental Planner and/or environmental consultant should bring as much information as possible to this meeting to inform the project team, such as any known cultural resources, land owners, sensitive species or Section 4(f) properties within or near the project vicinity. Communication and document distribution protocols should also be reviewed at the kick-off meeting.

The following are suggested questions that can be asked during this meeting or when the scope of work is being created. The information received in response to these questions will lead to a better understanding of the overall project and help the Environmental Planner determine the type of environmental documents needed (type of NEPA document, required technical reports, etc.). A Project Data Sheet (PDS) should be completed for the project by the Environmental Planner and the Technical Specialists (see Chapter 3, Section 4.7. and Appendix).

Project Site, Scope, & Coordination

- What are the project limits or footprint?
- Will additional access be needed?
- If unknown, who are the land owners and adjacent land areas? Will the project be on ADOT, or LPA owned right-of-way (ROW), or an easement?



- What is the scope of work?
- Can all project work be located in the roadway prism?
- What are the communication protocols? (LPA, Consultants, ADOT Project Manager, etc.)
- Where will staging or stockpiling take place? It is encouraged that this be
 determined during design and incorporated in the NEPA document, for areas
 within existing right-of-way, rather than leaving it to the contractor to decide.
 Review that contractor staging and stockpiling on private land requires additional
 clearance by the contractor if and when such sites are determined for use during
 construction.
- Will traffic control require detours or full closures? Will there be any temporary or permanent access changes to residences or businesses?
- Are there previous environmental documents for the area including previous NEPA documents; do the documents aid in determining needed mitigation or eliminate the need for duplicitous environmental work?
- Ask if there will be utility relocation or need to provide utility service. If such service is paid for by the project, even if the work is done by the utility company, the area, if outside the project limits, may have to be environmentally cleared.
- Ask if the project involves capacity additions or re-alignment of a road.
- For LPA projects, has any public outreach or scoping efforts been completed?

Hazardous Materials

- Will there be pavement marking obliteration?
- Will any demolition or work be done on any painted surfaces or load bearing concrete structures?
- Will any work be done on load bearing bridge joints, bridge barriers, existing concrete or painted surfaces? This will determine if lead-based paint testing and/or asbestos will be needed.

Biology and Waters of the US

- Will vegetation need to be removed? Will any of the work take place in or near water or ephemeral water sources? This may cause seasonal restrictions due to possible critical habitat or migratory birds.
- Are there any waters of the US within the project limits, adjacent to or within the drainage from the project? Discuss the project ahead of the kick-off meeting with the water quality specialist as needed.
- Can the Regional General Permit (RGP) be used?

Cultural Resources



- Discuss the Area of Potential Affects (APE) and if there has been previous survey of the area?
- Are there any known sites?
- Is the project within a historic district?
- Is an architectural survey needed?
- Any properties afforded protection under Section 4(f)?
- Can the Section 106 Programmatic Agreement (PA) be applied to the project?

Parks and Recreational Areas

- Are there any parks or public recreational facilities or multi-use trails, proposed or existing, within or near to the project location? If project involves a multi-use trail, ask if it will connect to an existing trail.
- How will any trails or access points be impacted during construction?
- Any properties afforded protection under Section 4(f)?

Geotechnical

- Will geotechnical investigations be necessary? What is the nature of the geotechnical investigation, borings or augured holes?
- When is the geotechnical CE needed, early or can it be covered under the overall project NEPA Approval document? Coordinate closely with the Technical Specialists and see if tasks can be combined such as consultation.

Pavement Design

- Will there be milling?
- Is shoulder build-up necessary?

Roadway Drainage

- Will drainage improvements be required?
- Will there be any work in or near a river or wash? This may trigger the need for a 404 permit or containment plan to prevent debris from entering water.

Bridge Design

- Will the bridge work require construction activities below the bridge and if so how will the work area be accessed?
- Are there indications of migratory birds or bats use under the structure?

Right-of-Way

- Will new ROW, easements or temporary easements be required for the project?
- When will the ADOT ROW Group need to begin their acquisition process? The NEPA approval is needed prior to ROW acquisition.



Meeting Documentation

All phone calls or discussions with internal or external parties should be documented if a decision is being made, or if concerns are being brought forward. This can be documented by the use of a phone log, PTS, or an email saved to the file. How a decision was reached with the rationale should be included. If it is of a technical nature, the Technical Specialist is required to document this to the file and share it with the appropriate team members. For meetings or comment response meetings, agendas and concise meeting summaries should be prepared to document the discussion and any conclusions.

4.4. Environmental Planner & Technical Specialist Coordination

After the scope of work has been established and the environmental team is ready to begin scoping, reference the "ADOT Environmental Planning Guidelines for Agency and Public Scoping for Projects with CE's" and 40 CR § 1501.6 Cooperating Agencies, and § 1501.7 Scoping.

The Environmental Planner, Technical Specialists and supporting consultants should constantly review that the scope of work is consistent throughout the environmental review process and at each stage of plan review:

Stage I: 15%Stage II: 30%Stage III: 60%Stage IV: 95%Stage V: 100%

Environmental Planners are required to review each stage of plans to confirm a consistent scope of work. The Environmental Planners should save the 95% plans and their comments in the electronic folder, and the final PS&E packet to ensure that the CE is valid at the time of bid advertisement. For projects with environmental concerns, the Environmental Planner shall forward each set of plans to the Technical Specialist for review or for continuing consultation when required.

If the scope of work or project limits change during development the ADOT Project Manager shall inform the Environmental Planner. If these items change, the Environmental Planner shall inform all of the Technical Specialists and determine if any re-analysis is needed. Direction by the Technical Specialists to the consultants regarding project changes that could impact the scope, schedule or budget should not be given without first coordinating with the Environmental Planner and the ADOT Project Manager as these changes may require approval of the ADOT Project Review Board (PRB) or the LPA. If there is an approved NEPA document already on file, and it is determined that the changes require more analysis, then a reevaluation of the NEPA document may be needed. If the changes are small in nature a note-to-file may suffice for documentation of the changes. The Environmental Planner is responsible for



completing the NEPA document Re-evaluation or completing the Note-To-File Form, distributing it, and saving it to the G-drive, and AIDW if necessary.

A valid NEPA document must be on file when an ADOT authorization request is sent to FHWA for construction funding. An acknowledgement that the NEPA is approved is included in the request for authorization from ADOT to FHWA. The C&S Specialist, ADOT Project Manager, Recreation Trails Program (RTP) Coordinator or any other ADOT agent sending federal funding authorization requests should confirm, by email, with the Environmental Planner that the NEPA document is still valid prior to sending the request letter to FHWA. The Environmental Planner should always include the ADOT Project Manager on these emails. Ensuring that a valid CE is on file is a requirement of the CE MOU (reference Stipulation II.C.c. of the CE MOU).

4.5. Project Schedules

The environmental component of the project schedule is a critical component when ensuring timely project delivery. Other project actions such as ROW, Utilities and Geotechnical may be dependent on the approval of the environmental documentation. The ADOT Project Manager will develop a submittal schedule for 30% to 100% design, as well as an estimated date for the bid advertisement and construction in coordination with the Environmental Planner and with input from the project team and the environmental consultant. The schedule should include estimated dates for technical document submittals, surveys, submittal of permits and completion of tasks.

Typically, the environmental analysis and NEPA Approval process should not exceed nine (9) months in duration and should be achieved at 60% design for CE level projects with no adverse impact or where alternatives are not in consideration. This may not always be possible depending on the scale and impacts of the project. Proceed cautiously to 95%. ENV can make a "risk assessment" based on the impacts and relevant environmental issues. 95% plans can be distributed with ENV approval prior to NEPA Approval (See Appendix). Keep in mind that if the project is using federal aid, and the design advances past 95%, the project is at risk of not being reimbursed for design funds if the design changes dependent of the NEPA outcome.

For projects with greater potential for environmental impacts such as an EIS, an Alternative Selection Report (ASR) will also be prepared to document how the team developed the range of reasonable alternatives to be carried into the EIS for detailed analysis. The DEIS will be created along with a Design Concept Report (DCR) which determines the preferred alternative. NEPA approval for complex CEs, EAs and EIS' is required by the 30% Design Phase. Below are crucial factors that should be considered when creating or monitoring a schedule:

- What type of NEPA documentation will be needed (CE, EA, EIS)
- Level of approval required: ADOT approval or FHWA approval



- Is a cultural resource survey needed, and how will resources if present be addressed (can Section 106 Programmatic Agreement be used, avoidance, monitoring, data recovery, etc.)
- Presence of critical habitat or listed/special species of concern requiring coordination with the land owner and/or USFWS (possibly up to 135 days for consultation)
- Geotechnical work and if a geotechnical CE is required prior to the NEPA approval
- Presence of 4(f) or 6(f) properties that require analysis and/or coordination
- Requirements for 404 permitting with the Army Corps of Engineers (Corps), requirements for 401 permitting with Arizona Department of Environmental Quality (ADEQ) and/or Environmental Protection Agency (EPA)
- Public involvement requirements
- Seasonal restrictions for accurate surveys, public involvement and construction
- Testing and proper disposal requirements for hazardous materials
- Will other land owners be involved, and do they have their own NEPA requirements
- Capacity or re-alignment projects that could trigger a need for air or noise analysis

The environmental process is a discovery process; therefore, lead time should be evaluated when estimating the submittal of technical documents. Sufficient time should be incorporated for multiple reviews, agency reviews, and other foreseeable tasks. However, unforeseeable items such as changes in laws, newly listed species, a newly discovered cultural site, or changes in scope of work may take place. In addition, many 404 permits and technical documents need a certain stage of development plans, such as 60%, in order to proceed. Early and often communication with the ADOT Project Manager is a must, as well as frequent communication with the environmental consultant, ENV technical team, resource agencies and land management agencies. Though factors in the environmental schedule should remain flexible, the final due date should be relatively fixed based on programming and the expected bid advertisement date. This will safeguard the timely delivery of fiscal year projects.

For more information see the Council on Environmental Quality (CEQ) Memorandum on Preparing Efficient and Timely Reviews under NEPA.

4.5.1. Environmental Planning Timeframes

The timeframes below are estimates for completing the environmental analysis and NEPA documentation. For specific document review timeframes refer to the ENV Timeframe Guidelines (see Appendix). Keep in mind that each consulting agency may have its own review timeframe requirements. Please work closely with each agency to determine and incorporate their required timeframes into the schedule. Also work closely with the ADOT Project Manager to determine if there are ROW needs, as the ROW Group cannot begin property acquisition without NEPA approval. If the NEPA approval is delayed it could also potentially impact other required ADOT clearances needed for the project. Once a basic scope of work has been defined at the project kick-



off meeting these timeframes should be followed. The goal should be to complete the NEPA document under these timeframes if no technical issues arise. Also be up to date on any presidential executive orders that require shorter timeframes.

Categorical Exclusion (CE)

- It should take three (3) to nine (9) months to complete the analysis, NEPA documentation
- All CEs should be completed between 60% and 95% plan submittal, complex CE's that are completed through the two step funding process need to be completed by 30% plans.
- Technical areas such as Section 4(f), Section 106, Section 7 consultation, and 404
 permits, as well as project financial issues can be the critical path 'drivers' of the
 schedule.
- If there are potential adverse environmental impacts; move cautiously past 60% plans with ENV approval. Approval need only be in the form of communication between the Environmental Planner, the ADOT Project Manager, and the FHWA Area Engineer.
- Capacity or re-alignment projects could trigger air or noise analysis requiring an additional traffic study to collect details on truck traffic.

Environmental Assessment (EA)

- It should take one (1) to two (2) years to complete the analysis, NEPA documentation
- Needs is to be completed by the 30% plans, i.e. a Finding of No Significant Impact (FONSI) is needed to begin Final Design

Environmental Impact Statements (EIS)

- It should take two (2) to five (5) years to complete the analysis, NEPA documentation
- Needs is to be completed by the 30% plans, i.e. a Record of Decision (ROD) is needed to begin Final Design

4.6. Project Funding & Budget

For federally funded projects ADOT staff and consultant charges cannot be accrued until there is an authorization for Preliminary Engineering (PE) funds from FHWA and a Notice to Proceed (NTP) for consultants. However, State-funded staff charges are allowed to assist in administrative work such as pre-scoping advice, scope of work definition or cost proposal development. State-funded actions also require an authorization based on the particular funding source utilized. The Project Info Retrieval Tool (PIRT) and the ADOT Information Data Warehouse (AIDW) are useful computer tools to help manage budgets and track funding availability. The Environmental Planner is responsible for asking the ADOT Project Manager for the funding authorization and which sub-phase to charge to; it can also be found in PIRT and on



the AIDW. The Environmental Planner is responsible for providing the subphase information to the Technical Specialists assigned to the project team.

4.2.1. Project Review Board (PRB) Procedures

PRB is the main oversight body within Development that provides funding approvals and reviews changes to the project scope. The ENV Project Delivery Manager is on the Board and relies upon project dates and information that are entered into PTS. This information is utilized in decision making during the meetings. PTS reports are printed prior to each meeting and are the main source of project information. For projects listed on the PRB agenda, the assigned Environmental Planner shall fill out the "Project Updates, Details, and ENV Dates" tabs in PTS and print the summary report for ENV management prior to the PRB meeting.

4.7. Environmental Consultants

Consultants that assist ENV can either be an ENV on-call consultant or a sub-consultant under the ADOT Development on-call, also known as a "turn-key" project consultant, for both ADOT and LPA projects. The following provides guidance on hiring a consultant, reviewing contracts, managing their schedules, tracking deliverables, and monitoring the quality of their work. The Environmental Planner is responsible for coordinating the PDS, Task Order forms, the Framework form, etc.

4.7.1. Hiring Qualified Consultants

Contracting highly-qualified and knowledgeable environmental consultants is critical in delivering quality and timely products and services. Please reference the ADOT ECS (Engineering Consultants Section) Information Bulletin No. 13-02 for information regarding Labor classification and definitions for environmental consultants. This document provides a description of qualifications and typical services provided by each type of environmental consultant. Other qualifications may be required based on the task/assignment required.

In addition, a summary of required qualifications for Technical Specialists to work on ADOT projects is posted on the ADOT Environmental Planning website under each technical section. All consultants working on ADOT development, maintenance, or construction projects must meet these requirements, including hired or sub-contracted by construction contractors to implement mitigation measures requiring a Technical Specialist. Typically, environmental commitments requiring a consultant will indicate whether their resume will be needed to be sent to Environmental Planning for approval prior to commencing work. All ENV on-call consultants are required to provide a resume to the particular ADOT Technical Specialist Team Lead for approval prior to working on ADOT projects.



4.7.2. Project Data Sheet (PDS)

To assist with the completion of an initial cost estimate, it is the responsibility of the Environmental Planner to provide the on-call environmental consultant a general scope of work and estimate of tasks that will be required for the project. To do this, the PDS should be completed by the Environmental Planner and Technical Specialists. The goal of the PDS is to provide the necessary information and guidelines to the on-call environmental consultant and ultimately shorten review period times once the initial cost estimate is received. The following steps should be followed for a successful completion of the PDS form:

- 1. ADOT Project Manager notifies ENV Project Delivery Manager of a new project.
- ENV Project Delivery Manager sends assignment notification to the Senior Environmental Planner and all Technical Specialists teams. Biology requests will be sent to respective geographic responsible Biologist.
- 3. Within one week of assignment, the Environmental Planner shall contact the ADOT Project Manager to discuss the preliminary scope of project, schedule and status of the project.
- 4. The Environmental Planner then completes General Project Information of the PDS and coordinates with assigned technical team members to discuss the project and determine the level of work needed based on preliminary information.
- 5. Technical Specialists are to complete their respective sections of the PDS within one week.
 - Biology team will review the habitat and species in the project location to determine the level of analysis needed.
 - Cultural Resources Team will conduct background research to determine the level of effort needed.
 - Air/Noise Technical team will determine the scope of work or location warrants noise or air quality analysis.
 - Water Resources will determine level of effort needed [RGP, Preliminary Jurisdictional Determination (PJD), Pre-Construction Notification (PCN) or Individual Permit (IP)].
 - Hazardous Materials will determine level of effort needed (Preliminary Initial Site Assessment (PISA, asbestos and/or lead testing, Phase 1 ISA).

It is encouraged that consultants coordinate with the Technical Specialists prior to submitting their scope and fee. The Technical Specialists may require geospatial data, aerial imagery, the ADOT photo log, topographic maps, species lists, literature, and other readily available sources of information to identify sensitive resources occurring in the project vicinity.



The PDS should provide the consultant sufficient information to anticipate the effort required for the technical analysis and NEPA approval. However, because environmental compliance is a dynamic process, the scope of work may change as the project develops. If this requires adjustment to the consultant's cost estimate, coordination with the Environmental Planner and contract administrator (generally the Project Manager) may be necessary to determine the need for a task order/contract modification to account for changes in the consultant's scope of work.

For more information on the PDS and the beginning of the project, see chapter 3.

4.7.3. On-call Assignments ("Turn-Key")

Prior to the project funding authorization there should be a request from the ADOT Project Manager for the amount of funding needed to complete environmental tasks. This will be an initial cost estimate based on a general scope of work that is included in a Project Framework document provided by the ADOT Project Manager. This estimate should cover ENV staff time and environmental on-call consultant work required as stated in the PDS. The ENV Project Delivery Manager will provide this estimate to the ADOT Project Manager prior to project assignment to an Environmental Planner.

Once the funding authorization has been received, the Environmental Planner shall send an email request to the ENV Project Delivery Manager for an on-call consultant to be assigned. It may also be that a Development on-call consultant has already been assigned to the project when the initial request for ENV involvement is received. For projects that utilize an ENV on-call environmental consultant, the consultant can complete the full environmental analysis and NEPA documentation or they may complete only a portion of the work based on the Environmental Planner's discretion. The Environmental Planner should work closely with the Technical Specialists to determine what tasks can be completed in-house versus what can be completed by the consultant. LPAs that self-administer design without federal-aid funding are encouraged to provide an initial scope of work and fee to ADOT ENV for review through the ADOT Project Manager.

4.7.4. Task Order Procedures for Environmental Planning On-Call Projects

After obtaining funding authorization, the Environmental Planner prepares a Task Order Request Form (Form is located here: G:\ITD\ENV\Everyone\EP Administrative Processes\Procurement\Task Assignments) for the ENV Procurement Specialist and a PDS to provide to the consultant. The cost proposal should be prepared by the consultant and submitted in a timely manner within one (1) to two (2) weeks. Once a consultant cost proposal has been prepared and submitted to ENV, the Environmental Planner will distribute the draft cost proposal to the Technical Specialists assigned to the project for their detailed and concurrent review and comment. ENV staff should look to minimize project development costs while still meeting all the necessary NEPA Approval



requirements. Once the cost proposal has been reviewed by the Technical Specialists and the Environmental Planner, comments are sent back to the Procurement Specialist for ENV management review. After management review, the comments are sent back to the consultant for revision. Once the contract hours are agreed upon, the Environmental Planner will forward the final cost estimate to ENV management for final signature, and then to the ENV Procurement Specialist for processing with the Engineering Consulting Section (ECS).

Nearly all projects that are prepared by the ADOT Development On-Call ('turn-key' consultant) will be processed by the ADOT Project Manager with assistance from the Environmental Planner for the environmental tasks. As with the ENV on-call consultants, the ENV team will also review and comment on the cost proposal within 5 working days after receiving a copy of the Framework Form from the ADOT Project Manager.

The successful timing of financial actions is critical to the success of the overall project schedule and is a shared responsibility. The Environmental Planner needs to be aware of the financial status of the project budget during all phases of the development process. If there is inadequate funding to cover the environmental consultant and ENV staff time, the ADOT Project Manager needs to be made aware of the situation immediately so joint resolution can take place.

4.7.5. Reviewing Cost Estimates and Minimizing Costs

Reducing and minimizing costs are critical to ADOT and are part of its mission statement. All cost estimates are to be reviewed by the Environmental Planner, Senior Environmental Planner, Technical Specialists, and ENV management prior to approval. Cost estimate submittals shall be broken down by task. Hours assigned to each task shall be reviewed.

While it is important to manage costs it is also important to ensure adequate/necessary analysis, compliance, and documentation based on the scope of work and predicted impact. Below are a few ways to reduce costs:

- Research if other recent projects were completed in the same project vicinity in order to see if the technical documents can be used or updated
- Combine projects and/or consultant tasks if two projects are adjacent to each other (coordinate with the Technical Specialists and ADOT Project Manager)
- Use your own judgment; do not let the consultant assumptions go unchallenged
- Ensure that the environmental effort is commensurate with the scope of the project and not a 'blanket coverage' for activities unlikely to occur
- Ensure project deliverables, analysis and documentation are all necessary
- Ensure hours are adequate/necessary for the itemized deliverables



The Technical Specialists will verify that the technical work that is required, including the need for a site visits, surveys, the type of technical document to be prepared and any agency coordination or consultation that may be necessary.

4.7.6. Quality Submittals from Consultants

It is required that consultant documents also meet the highest quality standards. Each on-call consultant has a QA/QC plan in place and is located in the G-drive here:

G:\Environmental Planning Group Projects\Consultant Ratings\On-call QAQC Plans

If environmental documents are submitted with many errors, the document will be returned with a request to be revised according to the template and documenting guidance on the ENV website and according to their QA/QC plan. If the quality of work is poor or documents go through more than two ENV reviews it should be documented on the Consultant Evaluation form and Document Review Form (see Appendix).

4.7.7. Consultant Evaluations

All projects with assistance from an environmental consultant require a Consultant Evaluation form to be completed by the Environmental Planner (See Appendix). If the Technical Specialists had concerns with the quality of work, that information needs to be provided to the Environmental Planner to be documented. All completed forms will be saved in the G-drive folder here:

<u>G:\Environmental Planning Group Projects\Consultant Ratings.</u>

4.8. NEPA Document Distribution & Record Retention

Proper documentation is required by NEPA and therefore essential within ENV. Under the 326 CE MOU, FHWA will conduct periodic project file reviews. During the environmental analysis, all project data documents, emails pertaining to project decisions, and relevant data should be uploaded into the G-drive electronic folder, AIDW and the hard copy folder. PTS should be consistently updated with the status of the project.

Maintaining an organized project folder with pertinent information is required in the event of a management inquiry or is the reassignment of the project to others within ENV. Follow the ENV guidelines on how to name folders and documents consistently (see Appendix). Project information needs to be uploaded into all data storage locations after the NEPA document is approved and the project is completed. Do not keep project files only in your email inbox, hard drive, or on your personal "U" drive. These locations are not readily accessible by others. All administrative documents and approved technical documents and NEPA approvals should be in the G-drive at all times. Once a project has gone to bid and the NEPA approval document is complete, important project related information and emails should be saved in an organized manner the G-drive.



Once a NEPA document has been approved, it is to be distributed by email to the contacts listed in the NEPA Approval Distribution Email Template (See Appendix). If the document is too large to send as a digital file, a Sharefile link should be emailed. In addition, the Environmental Planner shall update the status and dates in PTS, upload the approved NEPA document to AIDW and the G-drive folder. For all projects not covered under the 326 CE MOU, FHWA shall receive a copy of all ADOT approved individual [unlisted (d)] CEs, EAs and EIS' for their file. FHWA will also receive copies of related approved technical reports from the Technical Specialists for their file.

4.8.1. Project Tracking System (PTS)

PTS provides project location information, identifies the ADOT Project Manager, project numbers, technical details, project status, environmental schedules, and also links to other databases with the full project schedule and budget. See the Appendix, on how to create a new project in PTS reference. Each individual assigned to a project is responsible for updating project information under their discipline tab. PTS should be updated with project information as it takes place, and updated on a monthly basis, at a minimum. The following, at a minimum, are required to be filled out by the ENV team.

- Environmental Planner and Technical Specialists names
- "Details" tab with short status updates such as "scoping letters sent"
- Technical discipline checklist "comments" tab
- Estimated and actual NEPA Approval dates
- "Project Updates" tab for PRB agendas
- Project milestones

4.8.2. Electronic Record (G-Drive)

For each project a digital file shall be created within the internal ADOT "G-drive" located here:

G:\Environmental Planning Group Projects\Projects

Each project is listed under the route, then by the TRACS Number. The main project folder should be titled as such: "Tracs Project Name"

Sub folders will be created as materials need to be stored. Do not create folders that will sit empty. The following are the basic folders that should be in each project folder. The ENV team members may add more folders and sub folders as needed. See the attached Folder & File Labeling Guidelines on how to label folders and files (see Appendix).

- Administration
- Air Quality



- Biology
- Communication
- Cultural
- Engineering Documents
- Environmental Documents
 - o Backup
- Hazmat
- Noise
- Scoping

4.8.3. ADOT Information Data Warehouse (AIDW)

All approved environmental documents are to be uploaded onto AIDW (i.e. biology, hazardous materials, air and noise screening tool, NEPA document, RGP and other 404 permits) under the appropriate headings. All files are to be named as such: "Tracs_DocumentName_ApprovalDate". The AIDW also contains the Five-Year Construction Program list of projects and the ADOT photo log.

4.8.4. ADOT Project and Environmental Planning Website

For any project requiring public review and comment (generally for EAs and EISs), the Planner must place the documents onto the ENV website under the Recently Approved Environmental Documents page. This can be completed by contacting the website team (WebUpdates@azdot.gov). The documents must be loaded prior to the public review and comment period. Final EAs and EISs are to also be loaded on the website after approval. The same documents, plus any public involvement related materials should also be uploaded onto the ADOT Statewide Project website under the specific project. The Environmental Planner needs to coordinate these efforts with ADOT's website team.



5. CULTURAL RESOURCES SECTION PROCEDURES

The Historic Preservation Team is responsible for ensuring that all construction projects associated with the federal-aid highway program consider project-related effects to significant historic and prehistoric cultural resources and that these undertakings are in compliance with the Federal and State Historic Preservation laws.

5.1. Project Initiation

Upon getting a new work assignment, reference chapter three regarding project assignment and chapter four for how to develop the scope, complete the PDS and consultant information.

When a Historic Preservation Team (HPT) Specialist is assigned to a project as described under chapter three, Project Assignments, they should begin working closely with the Environmental Planner and project team. The HPT shall be involved early in the process to determine the project scope, schedule and budget. Please reference chapter four, Project Management, for more information.

Background Research

A seven page document entitled "Cultural Research" has been developed and is located here: G:\9152\H_P_T\2016 Cultural Research. This document details how to use AZSITE; provides additional references for the National Register; Bureau of Land Management General Land Office maps; provides a list of a variety of maps — both historic and recent — and how to access them; indicates where to find context studies; and discusses how to use ADOT's Road Life book, among other resources.

HPT Specialists have four electronic databases/maps at their disposal to aid in locating the information that is required to review each project thoroughly, complete a PDS, and accurately write Section 106 consultation. Table 5.1 indicates what information can be obtained from which source. As these data are static, while much of the data in reality may be very dynamic, corroboration of some items may be necessary.

For HPT Specialists who have ArcGIS uploaded to their computers, there is a map pre-loaded and available for use that has a number layers available. This map can be used as a base map and modified for project-specific needs. The Portal Administrator can provide a short tutorial on its use. For HPT specialists who do not have ArcGIS on their computers, the Portal Administrator can make a project-specific map upon request.

For ADOT reports and previous consultation letters, the ADOT HPT Portal is the best resource. AZSITE offers search functions for projects, sites, and references and has free electronic versions of ASM site cards and project registration forms online. AZSITE offers reports electronically, however, they cost \$15 per report, and the pdf cannot be kept beyond the period when it is actually being used. If a report is needed that is only available on AZSITE, a



request can be made to the HPT Team Lead or the Cultural Resource Program Manager to obtain the report.



Comparisons of Different Mapping Applications

	AZSITE		ADOT Portal Map		Google Earth		ArcGIS HPT Base Map	
	Present	Notes	Presen t	Notes	Presen t	Notes	Present	Notes
Topo Maps	х		х	updated 2013	х	KMZ file available	х	
Aerials	Х		Х		Х		х	
Street View					Х			
Interstates	Х		х	updated 2016	х		Х	
Highways	х		х	updated 2016	Х		Х	
Major Roads	Х		Х	updated 2016	Х		Х	
All Roads			х	updated 2016	х		Х	
Landownership	Х	ALRIS ¹	х	ALRIS			х	ALRIS
Previous Surveys	x	Not on Tribal land - missing some on federal lands. Best source for state, municipa I, county, and private	х	Not on Tribal land - missing some on federal lands. Best source for ADOT ROW and LPA projects after 2012			х	out dated
Cultural Resources	x	Not on Tribal land - missing some on federal lands. Best source for state, municipa I, county, and private	х	Not on Tribal land - missing some on federal lands. Best source for ADOT ROW and LPA projects after 2012				
Township and Range	Х		х	updated 2010	х	KMZ file available	Х	
Section	Х		х	updated 2010	Х	KMZ file available	Х	
MP	Х	Best	х	Best -updated 2016	Х	KMZ file available	Х	
BLM Field offices			х	updated 2017			Х	
Bridges	х	Fraser 2008	х	not working			х	Fraser 2008
CAP Canal Map			х	Updated 2009			х	
Cemeteries							х	
City boundaries			х	Updated 2003			Х	limited number

¹ ALRIS = Arizona Land Resource Information System maintained by the Arizona State Land Department



Flagstaff Area Sites	AZSITE	ADO	ADOT Portal Map		Google Earth		ArcGIS HPT Base Map	
				Х	KMZ file available			
Historic Districts						X	limited number	
Hydrology	Х	Х		X	KMZ file available	X		
Material Sources		Х	Updated 2011					
Mines		Х	Updated 2005/2010	Х	KMZ file available	Х	recent	
Mountain Summits						Х		
National Monuments						Х		
National Register				X	KMZ file available (incomplete)			
Navajo Chapters						X		
Navajo Land status						х		
Navaho Treaty Boundaries						Х		
New ADOT districts		Х	Updated 2016					
Old ADOT districts						Х		
Canals Howard and Huckleberry	х			Х	KMZ file available	Х		
Phx Arch Midvale				X	KMZ file available	X		
Phx Arch Turney				Х	KMZ file available	X		
Pipelines		Х	Updated 2010					
Power lines		Х	Updated 2010					
BOR structures, wells, BM, Indian villages 1902-03	х							
Sedona Area Sites and IOs	х			Х	KMZ file available			
SHPO county sites	x							
SHPO topo map sites	х							
Tribal Boundaries		Х	Updated 2016					
Tribal Claim areas		Х	Updated 2016			Х		
Western Area Power Admin Facilities				х	KMZ file available			
Watersheds				х	KMZ file available	х		

Area of Potential Effects

After reviewing the project information, a preliminary Area of Potential Effects (APE) should be defined, which at minimum is the project footprint including any new ROW or easement, permanent drainage easements, temporary construction easements (TCEs), and staging/stockpiling areas. Visual, auditory, and atmospheric effects may need to be considered, depending on the nature of the undertaking, as well as the types of cultural resources nearby. If there are cultural resources within the ADOT ROW/easement, the original site card, report, or



other documents are reviewed to determine the site boundary. When appropriate, Google Earth can be viewed to see if the site is above or below grade and whether or not the project may affect it. If a site will not be affected by the project, it is by definition outside the project APE, and the APE should be defined accordingly.

At this time, the following data are compiled for the APE:

- Land ownership
- Previous surveys if older than 10 years do they remain adequate?
- Cultural resources
- Consulting parties

The cultural research document identified above is useful for determining the following:

Land Ownership

Identify all landowners through ALRIS, county assessor maps, and through help of the Environmental Planner and project team. If any of the following own land within the APE, contact them directly as they keep their own files on resources within their jurisdiction:

- Tribes
- BLM
- Individual National Forests
- Military

Additionally, the cities of Phoenix and Tucson, and the Salt River Project have records that may be useful.

Each agency and Tribe has its own site file search procedures, and should be contacted with specific project location information to make arrangements for a records search. The HPT Portal Contacts page is the official resource for the most updated contact information for each agency or Tribe. Gila River Indian Community (GRIC), for example, will conduct the site file search with no consultant required. There is typically a charge for that service. ADOT has an intergovernmental agreement (IGA) with GRIC that allows ENV to pay GRIC directly for their services. To procure the services of any GRIC staff for a project, notify the Cultural Resources Program Manager to utilize the IGA.

Other entities may require an on-site visit to access their site files and other records. If necessary, a consultant can be tasked with doing background research requiring an on-site visit.

Additional resources include local public agencies and historical societies. These are particularly useful for researching historic buildings.



Survey

Compile a list of previous surveys within the APE and their State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) consultation. If the APE, or a portion thereof, has not been surveyed AND the HPT determines it has NOT been previously disturbed OR if the APE has been surveyed but HPT determines the survey is no longer adequate, it may be appropriate to have a new survey conducted.

If the APE has been surveyed, the original report should be checked for site locations (while recent entries in AZSIZTE are very accurate, older sites may not have been entered with the same degree of accuracy). In determining whether or not new survey is needed, it is important to take into account whether there are cut ditches, urbanization, obvious underground utilities, or other disturbances that may make new survey unwarranted.

Cultural Resources

HPT will compile a list of cultural resources within the APE (utilizing the Cultural Research document if needed), and will note the National Register of Historic Places (NRHP) eligibility status of each resource and the criteria(on) under which it is eligible.

Consulting Parties

HPT will compile a list of consulting parties, including Tribes.³

After this basic information for the project has been compiled, HPT will review the project with respect to the 2015 Programmatic Agreement (PA) if the project is federally funded. The 2015 PA will continue to be in use until a new PA is developed, which will occur prior to NEPA Assignment. Until the new PA is executed, the 2015 PA will remain in effect. For projects that are covered under the 326 MOU, ADOT will be the party responsible for carrying out the terms of the PA.

The PA may be used for Local Public Agency (LPA) projects even though the LPAs are not participants in the PA. Unlike Tribes and resource agencies, LPAs have no Section 106 responsibilities or special status, and their participation in the PA as signatories or concurring parties is not required. As project applicants, they are entitled consulting parties in the Section 106 process.

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² The term previously disturbed as defined in the PA refers to areas where previous construction, or other activities by human or natural agents, has physically altered soils within the three-dimensional APE to the point where there is no potential for an archaeologically significant property to remain, as determined by the HPT Specialist. These areas include, but are not limited to, the entire roadway prism.

³ As the Tribes' request, please capitalize Tribe and Tribal in your documents.



If a CLG is the project proponent for an LPA project, and the CLG is amenable to following the terms of the PA, the CLG will be included in informal coordination or consultation for PA actions consistent with the procedures described below for signatory landowners.

Because of their status as consulting parties, the same informal coordination or consultation described above for CLGs is applicable to non-CLG LPAs. Given that non-CLG LPAs typically do not have professional staff who can evaluate the PA or concur with its proposed use, their concurrence is not required, and the PA may be used for non-CLG LPA projects as long as the LPA does not object to its use.

Programmatic Agreement Overview

The project will likely qualify as a "screened undertaking", under Stipulation X.C., if the following apply:

- the landowner(s) are signatories to the PA
- the APE is within existing ROW (either owned or easement)
- the scope items are all listed in Attachment 3 of the PA
- the APE has been surveyed or is completely disturbed and does not contain any or is not immediately adjacent to any historic properties with the exception of historic roads
- if the project scope of work will not affect any character-defining feature of a historic road if one is within the APE

Stipulation X.C. requires coordination with any landowning agencies or Tribes, and a memo documenting the decision to the PA Quarterly report.

The finding of effect will likely be "No Historic Properties Affected", under Stipulation X.F.1.a., if the following apply:

- the landowner(s) are signatories to the PA
- there are no historic properties in the APE, or
- if there are historic properties but they will not be affected by the undertaking
- if it does not fit the criteria for a screened undertaking

Stipulation X.F.1.a. requires coordination with any landowning agencies or Tribes, and a memo documenting the decision to the PA Quarterly report.

The finding of effect will likely be "No Adverse Effect with Standard Conditions", under Stipulation X.F.2.a. if the following apply:

- the landowner(s) are signatories to the PA
- there are historic properties in the APE but they can be avoided NOT including historic roads --

Stipulation X.F.2.a. requires coordination with any land owning agencies or Tribes, and a memo documenting the decision to the PA Quarterly report.



The finding of effect will likely be "No Adverse Effect", which requires sending standard consultation letters.

- the landowner(s) are signatories to the PA and there are historic properties that cannot be avoided and that require monitoring, or
- there will be impacts to historic roads that do not effects their character-defining elements, or
- the landowners are not signatories to the PA

A "No Adverse Effect" requires sending standard Section 106 consultation letters.

In general, if there will be impacts to character-defining elements of historic properties, the finding of effect will be "Adverse Effect".

Documentation

If there is a PDS, HPT will complete the cultural section at this time. Otherwise, HPT will document the results of the preliminary research in a Word document, or by other means and put that document in the electronic project folder. The project may sit for several months while design progresses. Documenting the results of the preliminary research to the project file will save time later, and ensure that the information is available if the HPT is out of the office or the project is reassigned. For more information on the PDS and how and where to document, see chapter four, Project Management.

5.2. Coordination & Communication

It is essential that the Environmental Planner and HPT Specialist coordinate closely on each project. If project meetings take place regarding a technical subject, Environmental Planners and ADOT Project Managers should be invited. If agencies or Tribes raise concerns, the Environmental Planner and ADOT Project Manager should always be made aware. The Environmental Planner should be made aware if a project site contains a Section 4(f) property, a Traditional Cultural Property (TCP), requires an avoidance commitment, requires flagging or monitoring, or an "adverse effect" determination is anticipated for the project. Any items that have scope, schedule or budget implications need to be discussed with the project team on how to mitigate or resolve.

Communication with the Environmental Planner

If HPT requires the services of a consultant for survey, monitoring, or an off-site site file search, HPT will notify the Environmental Planner and discuss whether there are funds available for a

When sending out standard letters, initial Section 106 consultation with the Salt River Pima-Maricopa Indian Community must include a SRP-MIC table. Copies of both a blank and completed (as an example) form are located here: G:\9152\H_P_T\HPT Handbook\Example letters\SRPMIC table. There are TWO worksheets in the spreadsheet that must be filled out.

⁵ When sending out standard letters, initial Section 106 consultation with the Salt River Pima-Maricopa Indian Community must include a SRP-MIC table. Copies of both a blank and completed (as an example) form are located here: G:\9152\H_P_T\HPT Handbook\Example letters\SRPMIC table. There are TWO worksheets in the spreadsheet that must be filled out.



consultant. If no survey or site file search is needed, and the project can be addressed through informal consultation and documentation to the decision to the PA Quarterly report, a consultant will likely not be needed. HPT will notify the Environmental Planner of whether the standard 35 day consultation period or shorter informal consultation will take place – this will help the project team with scheduling and budgeting. HPT will check with the Environmental Planner and/or check the project development spreadsheet to see if there is a schedule or clearance date. Tracking project schedules and milestones is important in prioritizing workloads. For more information about coordination with the Environmental Planners, districts and others, see chapter four, Project Management.

Communication with Consultants

When communicating with consultants, HPT needs to be aware of whether the consultant is working under Environmental Planning's on-call contract or under a Project Development on-call contract. This information can be obtained from the Environmental Planner or the ADOT Project Manager. If the consultant is working under a Project Development on-call, HPT will check with the ADOT Project Manager or Environmental Planner to get permission to communicate directly with the consultant and to establish the expected communication protocols for that project. If a consultant is needed to perform a site file search, monitoring, survey, avoidance commitment graphics, or any other task, HPT will discuss the need with the Environmental Planner to make sure there are funds available. If the contract is Environmental Planning's on-call, the Environmental Planner is the task manager, and will be working directly with the consultant to develop the cost estimate. If a consultant is under contract to Project Development or to a local government or any entity, HPT will work with the Environmental Planner and the ADOT Project Manager to make any requests for consultant services, including revisions to reports. For more information on managing consultants, see chapter four, section 4.7. Environmental Consultants.

Typically, HPT will have little additional work to do beyond preliminary research and cost estimate review until the project design advances to the point where there is a finalized scope of work and a final project footprint.

If there are plants within the project limits that are considered cultural or special resource for Tribes, please coordinate with the project assigned biologist.

5.3. Using the Programmatic Agreement

All undertakings are assessed under the PA. Depending upon the project finding of effect, procedures may call for informal coordination and consultation, or may require standard consultation letters. Depending on the particular circumstances of a given project, HPT may end up doing informal coordination and documentation to the Quarterly Report for consulting parties who are signatories to the PA, and sending standard letters to consulting parties who are not signatories.



This document outlines procedures for projects that fall under the FHWA-ADOT Memorandum of Understanding (MOU) for the State Assumption of Responsibility for Categorical Exclusions under 23 U.S.C 326. For projects covered under CE Assignment (listed CEs), ADOT is the decision maker, and HPT will not be consulting or coordinating with FHWA for those projects. Any letters written for projects covered under the CE Assignment MOU will go on ADOT letterhead.

For unlisted or individually documented CEs, and for EAs, or EISs, HPT will continue to coordinate with FHWA until after full NEPA assignment. Any letters written for those projects will go on FHWA letterhead and will be sent out by FHWA. Guidelines for formatting and processing letters for FHWA can be found in the appendix.

General Comments on Coordination and Consultation under the PA

The procedures below spell out what level of coordination and consultation is required for each stipulation. In addition, if a project occurs on ADOT easement across land owned or managed by a signatory agency or Tribe, HPT must always coordinate with the landowner regarding decisions in implementing the following stipulations:

- Stipulation X.C.1: Screened undertakings exempted from further review
- Stipulation X.F.1.a: Findings of No Historic Properties Affected
- Stipulation X.F.2.a.i: Findings of No Adverse Effect with Standard Conditions
- Stipulation XI.A.4: Changes in Scope of Project
- Stipulation XII.A.1: Preconstruction Geotechnical Testing

The purpose of this coordination or informal consultation is to make sure that the landowning Tribe or agency is informed and has no objections prior to ADOT carrying out the stipulation. This communication with agencies should be by email or a telephone conversation followed by an email. For signatory Tribes, the same process can be followed if they agree to it. Both of the Tribes that are presently signatories (Gila River Indian Community and the Hualapai Tribe) have agreed to informal consultation for the above stipulations.

If a signatory Tribe or agency does not respond to informal consultation within 15 days, the HPT Specialist assigned to the project will follow up by email and telephone, and document all follow up attempts to the project file or in PTS. If, after a reasonable and good faith effort to reach an unresponsive Tribe, there is no response, the HPT Specialist will document one last email and telephone message that informs the Tribe that if there is no response by a specific date, ADOT will assume they have no concerns and will move forward. The project schedule will be taken into account in deciding when to start the follow up attempts and how much time to allow between attempts. What constitutes a reasonable and good faith effort is a judgement call that includes consideration of land jurisdiction, the nature of the proposed undertaking and its effect on historic properties, and the nature of the historic properties in question. For signatory or non-signatory Tribes who have been non-responsive to consultation letters, the same follow-up procedures will be followed.



5.3.1. New Projects

All new projects go through the HP Team Lead. If a project has "No Potential to Affect Historic Properties", it will be filtered out at that time. The HPT Team Lead will write a memo and put the memo in the No Potential Memos folder in the Quarterly Report documentation folder on the G: drive. An example memo is located here: G:\9152\H_P_T\HPT Handbook\Example letters.

If a project occurs on easement across another agency's or Tribe's land, and the agency or Tribe is a signatory to the PA, the HPT Specialist will informally coordinate or consult with the landowner regarding decisions that would lead to documentation to the Quarterly Report rather than formal consultation. This can be accomplished either solely via email or by a combination of phone conversation(s) with email follow ups. Most of the PA signatories are familiar with the informal PA procedures. It is up to the individual Historic Preservation Specialist to assess the most appropriate method of communication; this likely will be guided by individual project circumstances and particular consulting parties. The HPT Specialist will save email responses or documentation of phone calls in the project files and Quarterly Report documentation file. For each project, the information imparted informally will be essentially the same information that goes into the final memo for the Quarterly Report; the content of the memos depend on the stipulation being implemented. Example memos for each stipulation have been saved here: G:\9152\H P T\HPT Handbook\Example letters. In many cases, memos can be written by cutting and pasting from the informal emails, if the emails included the necessary information.

Screened Undertakings – X.C.1.

The first step in reviewing a project under the PA is to see if it qualifies as a "screened undertaking" under Stipulation X.C. If the following conditions are met, the project is likely a screened undertaking exempted from further review:

- The project scope items fall under those listed in the general and specific conditions in Attachment 3
- the APE has been surveyed or is completely disturbed
- there no historic properties⁶ with the exception of historic roads, within or immediately adjacent⁶ to the APE
- the landowner(s) are signatories to the PA or local public agencies who are amenable to informal consultation
- the APE is within existing ROW or easement
- if the project scope of work will not affect any character-defining feature of a historic road if one is within the APE

⁶ Historic properties are those cultural resources that are either listed on or have been determined eligible for the National Register of Historic Places.



If the above applies:

- 1. The HPT Specialist will coordinate informally with the landowners and request their concurrence that Stipulation X.C.1. applies.
 - Full stipulation roman numeral (i.e., Stipulation X.C.1) and complete TRACS and federal aid numbers go in the email subject line.
- 2. The HPT Specialist will write the memo (example in folder G:\9152\H_P_T\HPT Handbook\Example letters) and send the draft to the Cultural Resource Program Manager for review. When review is completed and memo finalized, HPT will email it to the Environmental Planner and cc SHPO. The memo needs to include:
 - All land jurisdiction
 - Scope of work
 - APE
 - Previous surveys or justification of disturbance if no survey
 - Indicate that landowner consultation has taken place, specify with whom, when sent, when concurrence received
- 3. The HPT Specialist will place the documentation in the Quarterly Report documentation folder on the G: drive; including a PDF of the memo, any graphics used during informal consultation, and email concurrences
- 4. The HPT Specialist will make a PTS entry that the memo was sent, including the stipulation number and description and the recipients
- 5. The HPT Specialist will archive project emails to g-drive project folder

No Historic Properties Affected – X.F.1.A.

For any project that either has no historic properties or has historic properties that will not be affected by the undertaking and that is NOT screened and exempted under Stipulation X.C., the appropriate stipulation is Stipulation X.F.1.a., a finding of "No Historic Properties Affected". For this stipulation and for others below, it may be that new survey is required. The process for obtaining a new survey and for subsequent report reviewing is outlined below after the descriptions of the PA stipulations. With respect to Stipulation X.F.1.a., the landowners must be PA signatories or local public agencies who are amenable to using the PA. Once all of the background research has been completed and the HPT Specialist has verified that the undertaking fits this stipulation, the HPT Specialist will follow these guidelines:

- 1. Coordinate with the landowners and SHPO concurrently have them concur with the finding of effect. If there are landowners who are non-PA signatories, such as Tribes, they will require a standard Section 106 letter.
 - a. Make a graphic of the project area if needed. Use photos, aerials, or what media illustrates the area appropriately make sure these are labeled correctly with the project name and number
 - b. Put *full* stipulation roman numerals as well as the stipulation description in the email subject line as well as complete TRACS and federal aid numbers



- c. If there is a new survey, send this along and specifically ask for concurrence with the adequacy of the report (there is generally no need to make graphics if there is a new survey report)
- d. If there are cultural resources, specifically ask for concurrence with NRHP eligibility recommendation(s) as well
- 2. After all responses have been received, write a memo (example in folder G:\9152\H_P_T\HPT Handbook\Example letters) and send the draft to Cultural Resources Program Manager for review. When review is completed and memo finalized, email it to the Environmental Planner and cc SHPO and the consultant company if one was used. The emo needs to include:
 - a. All land jurisdiction
 - b. Scope of work
 - c. APE
 - d. Previous surveys or justification of disturbance if no survey was warranted
 - e. Acreage of new survey if applicable
 - f. With whom and when consultation took place, including any concurrences to standard letters for non-signatories
 - g. Concurrence regarding adequacy of report, if applicable
 - h. Concurrence regarding National Register eligibility recommendation(s), if applicable
- Place documentation in the Quarterly Report documentation folder on the g-drive; include PDF of memo, any graphics that were used during informal consultation, and email concurrences
- 4. Make PTS entry
- 5. Archive project email to the g-drive
- 6. Upload (or have consultant upload) any new survey reports to the ADOT Portal
- Two weeks after the memo was sent to the consultant, check the HPT Portal to make sure the report has been uploaded if you have not done the uploading vourself
- 8. If there was a consultant, write up a consultant evaluation

No Adverse Effect with Standard Conditions – X.F.2.A.

For any project with historic properties that will be AVOIDED, by which is meant, flagging, fencing, signage, putting avoidance areas on construction plan sheets, or in some cases monitoring⁷, use Stipulation X.F.2.a., a finding of "No Adverse Effect with Standard Conditions". Again, the landowners must be PA signatories or local governments who are amenable to using the PA. For this Stipulation, follow these guidelines:

1. Read through Attachment 5 and verify that the undertaking falls under this

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⁷ The use of monitoring under stipulation X.F.2.a. is done on a case-by-case basis. A general rule of thumb is that if there will be, for example, work in the buffer zone of a site or to help the contractor avoid the site, monitoring under this stipulation might be appropriate. If there is a likelihood of finding something, then go with the standard NO ADVERSE EFFECT or ADVERSE EFFECT as appropriate. (Discuss this with the HPT Team Lead or Cultural Resource Program Manager.)



- stipulation. By and large, this version of the "No Adverse Effect" finding is only applicable to local government projects and projects that are on interstates. Stipulation. X.F.2.a. does NOT apply when there will be work done on historic roads at this time. This will be rectified when the PA is amended.
- Write up (or have consultant write up) standard Section 106 letters for nonsignatory Tribes and agencies if Tribal consultation is deemed appropriate. If the project falls under the CE Assignment MOU, letters should be on current ADOT letterhead.
 - a. Make (or have consultant make) any needed graphics that are labeled with the project name and number if there is no accompanying new survey report.
 - b. Make a PTS entry when the letters have been mailed.
 - c. Notify the planner and consultant of the anticipated end of the consultation period.
 - d. Email electronic copies of letters and enclosures for all eccs.
- 3. Conduct informal consultation with SHPO (if not on Tribal land or if on Tribal land with no THPO), and other signatories.
 - a. Include all enclosures.
 - b. Put *full* stipulation roman numerals as well as the stipulation description in the email subject line as well as complete TRACS and federal aid numbers.
 - c. If there is a new survey, send it along and request concurrence with the adequacy of the report.
 - d. If cultural resources are present, specifically request concurrence with NRHP eligibility determination(s) as well.
- 4. When the consultation period ends, write a memo (example in folder G:\9152\H_P_T\HPT Handbook\Example letters) and send the draft to Cultural Resource Program Manager for review. When review is completed and the memo finalized, email it to the Environmental Planner and cc SHPO and the consultant. The memo needs to include:
 - a. All land jurisdiction.
 - b. Scope of work.
 - c. APE.
 - d. Previous surveys or justification of disturbance if no survey as applicable.
 - e. Acreage of new survey if applicable.
 - f. With whom and when consultation took place—specify standard and informal consultation.
- Place documentation in the Quarterly Report documentation folder on the G: drive; include PDF of memo, any graphics that were used during informal consultation, and email concurrences.
- 6. Prepare an action plan. Attachment 5.E. outlines what constitutes an action plan. An example has been placed in folder G:\9152\H_P_T\HPT Handbook\Example letters. The action plan does not need to be a formal document, and will not be included in consultation. The purpose of the action plan is to make sure that any steps that will



be needed in the future to ensure avoidance of the property, such as procuring a consultant, are followed.

- 7. Make PTS entry.
- 8. Archive project email to g-drive.
- 9. Upload (or have consultant upload) any new survey reports and standard letters to the ADOT Portal.
- 10. Two weeks after the memo is sent to the consultant, check to make sure the report and letters have been uploaded to the HPT Portal if you have not done the uploading yourself.
- 11. Write up a consultant evaluation.

No Adverse Effect— X.F.2.B.

For any project with historic properties that will not be adversely affected, but that does not fit Stipulation X.F.2.a., use Stipulation X.F.2.b, a finding of "No Adverse Effect". This includes projects with historic properties that cannot be avoided, but will not be adversely affected, such as historic roads; projects for which monitoring will be undertaken within the boundaries of an historic property (or a cultural resource that is being treated as if it were eligible (monitoring not covered in Stipulation X.F.2.a.); and projects where an historic property will be altered, but the alterations will be consistent with the Secretary of the Interior's standards. In this instance, the PA stipulates that we conduct standard Section 106 consultation. For this Stipulation, follow these guidelines:

- 1. Write up (or have consultant write up) standard Section 106 letters.
 - a. Use current ADOT letterhead if the project falls under the CE Assignment MOU.
 - b. Make (or have consultant make) any needed graphics that are labeled with the project name and number if there is no accompanying new survey report.
 - c. Make a PTS entry when the letters have been mailed.
 - d. Notify the Environmental Planner and consultant to let them know when the consultation period is up.
 - e. Email electronic copies of letters and enclosures for all eccs.
- 2. When the consultation period ends, write a standard close out memo and send to the Environmental Planner and the consultant.
- 3. Make PTS entry.
- 4. Archive project email to g-drive.
- 5. Upload (or have consultant upload) any new survey reports and standard letters to the HPT Portal.
- Two weeks after memo is sent to the consultant, check the HPT Portal to make sure the report and letters have been uploaded if you have not done the uploading yourself.
- 7. Write up a consultant evaluation.



Adverse Effect – X.F.3.

For a project with adverse effects to historic properties use Stipulation X.F.3. for a finding of Adverse Effect and Stipulation X.G.1 and Attachment 6 for Standard Measures for Resolving Adverse Effects if appropriate. In this instance, the PA stipulates that we conduct standard Section 106 consultation. For this Stipulation, follow these guidelines:

- 1. Review Attachment 6 to determine if and which standard measures can be employed.
- 2. Write up (or have consultant write up) standard Section 106 letters.
 - a. If the project falls under the CE Assignment MOU, use current ADOT letterhead.
 - b. For PA signatories, letters should include a proposal to use Stipulation X.G.1. and Attachment 6 and outline which standard measure(s) (a Historic Properties Treatment Plan and/or HABS/HAER Documentation Plan) would be employed. An example letter is available at: G:\9152\H_P_T\HPT Handbook\Example letters.
 - c. For non-PA signatories, letters should include a proposal to resolve adverse effects using Stipulation X.F.3 and Attachment 6, and should also include a hyperlink to the PA online. Hard copies of the PA and its attachments do not need to be included as enclosures if the hyperlink is provided in the letter. Letters should also outline which standard measure(s) (a Historic Properties Treatment Plan or HABS/HAER Documentation Plan) would be employed. An example letter is available at: G:\9152\H P T\HPT Handbook\Example letters.
 - d. Make (or have consultant make) appropriate graphics that are labeled with the project name and number if there is no accompanying new survey report.
 - e. When the letters have been mailed, make an entry in PTS.
 - f. Let the Environmental Planner and the consultant know when the letters have been sent and let them know when the consultation period is anticipated to end.
 - g. Email electronic copies of letters and enclosures for all eccs.
- 3. In order to move forward with resolving adverse effects with standard measures (Attachment 6), SHPO (or THPO if applicable) and any landowning agency must agree in writing that resolving adverse effects under Attachment 6 is warranted. If SHPO and the landowner do not agree to the implementation of Attachment 6, then a project-specific MOA should be developed. If a consulting party other than SHPO or the landowner objects to the use of Attachment 6, those objections should be considered by ADOT and SHPO before making a decision to move forward.
- 4. When the consultation period ends, write standard close-out memo and send to the Environmental Planner and the consultant. Make sure the close-out memo addresses whether the adverse effects will be resolved through standard measures (Attachment 6) or through the development of a project-specific MOA.
- 5. Make PTS entry.
- 6. Archive project email to g-drive.



- 7. Upload (or have consultant upload) any new reports and standard letters to the HPT Portal.
- 8. Two weeks after memo is sent to the consultant, check the HPT Portal to make sure the report and letters have been uploaded if you have not done the uploading yourself.
- 9. Work with the Environmental Planner and the PM to secure funding and consultant services (through on-call contract or through an RFP) for the tasks required to implement Attachment 6. For any projects resulting in an adverse effect, include the Historic Preservation Team Leader or the Cultural Resource Program Manager in the loop as you are going through your decision-making process.

5.3.2. Scope Changes

The PA contains stipulations that standardize and streamline Section 106 review of changes in project scope.

Scope Change Xi.A.1.

Review the project scope change – if it does not alter the finding of project effect or the APE, then consultation is not necessary. Informally coordinate with any landowner regarding the scope change.

 Document the scope change to the project files and to the Quarterly Report with a short memo. Send a draft of the memo to the Cultural Resources Program Manager for review; when the memo is finalized, send it to the Environmental Planner and SHPO, and file the memo in the project file and the quarterly report documentation folder (example memo in folder G:\9152\H P T\HPT Handbook\Example letters).

Scope Change Xi.A.2.

If there is a change to the APE, determine through background research if any new portions of the project area require survey. If so, carry out the new survey under Stipulation X.D.

- 1. Work with planner and PM to get a consultant under contract to perform the additional survey.
- 2. Coordinate with the landowner on the adequacy of the report and cultural resource eligibility, if any were identified, as well as the change in scope and your finding under the PA. If the landowner(s) of the new portion of the APE is a signatory or a local government who is amenable to using the PA, conduct informal coordination/consultation. If they are not, conduct standard consultation. If the landowner(s) of the NEW portion of the APE was/were not a consulting party to the project previously and have not yet been consulted on this project:
 - a. Include the previous SHPO/THPO concurrence with the finding of effect in the email or indicate that earlier consultation with the SHPO/THPO was conducted under the PA, and SHPO/THPO concurred with the finding.
 - b. Include previous reports or graphics.



- c. Briefly explain the history of the project.
- 3. Whether the landowner was previously a consulting party or not, informal coordination/consultation with the landowner should briefly summarize the original scope and address what has changed or been added. Include an electronic copy of the survey report, and specifically request concurrence on the adequacy of the report.

If the results of the survey did not alter the finding of project effect and there were no new cultural resources, write a memo under Stipulations X.D. and XI.A.4. (example in folder G:\9152\H P T\HPT Handbook\Example letters)

- 1. Write a memo to ADOT Environmental Planner and cc SHPO and the consultant.
- 2. Include full project numbers, name, and stipulations including the full stipulation number and stipulation description.
- 3. Outline the project briefly including the original scope, and include reference to original SHPO/THPO concurrence.
- 4. Describe the scope change.
- 5. Indicate that new survey took place.
- 6. Indicate that under Stipulation X.D., you informally consulted with the landowner(s) and received their concurrence on the report's adequacy.
- 7. Indicate that under Stipulation XI.A.4., because there was no change in finding of effect, further consultation was not required, but you did informally coordinate with the landowner.
- 8. Send the memo electronically along with an electronic copy of the report and a copy of the email response from the landowner(s) concurring with report adequacy and scope change.
- 9. Document to the Quarterly Report include a PDF of memo, the report, and any email responses.
- 10. Archive project email to the G: drive.
- 11. Upload (or have consultant upload) the new survey report and standard letters (if any) to the ADOT HPT Portal.
- 12. Two weeks after memo is sent to the consultant, check the HPT Portal to make sure the report and letters have been uploaded if you have not done the uploading yourself.

If the results of the survey identified new cultural resources, under Stipulation XI.A.5., decide whether the project finding of effect will change or not and consult under the appropriate PA stipulation:

- X.F.A.1. for a finding of No Historic Properties Affected,
- X.F.2.a. for a finding of No Adverse Effect with Standard Conditions, or
- X.F.2.b, a finding of No Adverse Effect.

Refer to those stipulations above for complete steps.



Scope Change Xi.A.3.

If there is a change to the APE, determine through background research if any new portions of the project area require survey. If they already have been surveyed or are disturbed to the point where new survey is unwarranted, notify SHPO/THPO and any land managing agencies informally. Signatories have 15 days to object. If you are on Tribal land and the Tribe is not a signatory to the PA, carry out standard Section 106 consultation regarding the scope change and the decision that additional survey is not warranted.

If there are no new cultural resources, write a memo under Stipulation XI.A.4. (example in folder G:\9152\H P T\HPT Handbook\Example letters)

- 1. Write memo to ADOT Environmental Planner and cc SHPO and the consultant.
- 2. Include full project numbers, name, and stipulations including the full stipulation number and stipulation description.
- 3. Outline the project briefly; include reference to original SHPO/THPO concurrence.
- 4. Describe the scope change.
- 5. Indicate that new survey was unwarranted because of disturbance or that it previously was surveyed.
- 6. Indicate that under Stipulation XI.A.4., because there was no change in finding of effect further consultation was not conducted, but that informal coordination with any landowners occurred.
- 7. Send the memo electronically.
- 8. Document to the Quarterly Report include PDF of memo and informal email responses.
- 9. Archive project email to G: drive.
- 10. Upload (or have consultant upload) standard letters (if any) to the HPT Portal.
- 11. Two weeks after the memo was sent to the consultant, check the HPT Portal to make sure the report and letters have been uploaded if you have not done the uploading yourself.
- 12. Make PTS entry.

If the new portion of the APE contains new cultural resources, under Stipulation XI.A.5., decide whether the project finding of effect will change or not and consult under the appropriate PA stipulation:

- X.F.A.1. for a finding of No Historic Properties Affected,
- X.F.2.a. for a finding of No Adverse Effect with Standard Conditions, or
- X.F.2.b, a finding of No Adverse Effect.

Refer to those stipulations above for complete steps.

5.3.3 Preconstruction Geotechnical Testing

In cases where design cannot be completed until geotechnical testing has been completed, a separate CE for geotech may be issued prior to consultation on the project



as a whole. When that occurs, the PA has stipulations to allow for streamlined consultation.

Geotechnical Testing XII.A.1.

Review location of the geotech bore holes or pits and define the geotechnical APE. The scope should be general, just describing bore holes, trenching, etc. If this portion of the project fits the characteristics of a screened undertaking, follow the steps for a screened undertaking listed above. An example letter is located here: G:\9152\H_P_T\HPT Handbook\Example letters.

Geotechnical Testing XII.A.2.

After defining the geotechnical APE and the generalized scope of work, if the geotechnical investigations meet the criteria for a finding of No Historic Properties Affected, follow the No Historic Properties Affected (Stipulation X.F.1.a.) steps listed above.

Geotechnical Testing XII.A.3.

After defining the geotechnical APE, if the background research indicates that there are cultural resources within the APE but they can be AVOIDED (by which is meant, flagging, fencing, signage, putting avoidance areas on construction plan sheets, or in some cases monitoring), make a finding of "No Adverse Effect with Standard Conditions". Follow the steps listed above for Stipulation X.F.2.a.

If the geotechnical portion of the project will not adversely affect historic properties, but does not meet the criteria for No Adverse Effect with Standard Conditions, follow the "No Adverse Effect" steps listed above (Stipulation X.F.2.b.). This includes projects with historic roads and projects for which monitoring (other than monitoring for avoidance) will be undertaken.

Geotechnical Testing XII.A.4.

After defining the geotechnical APE, if this portion of the project will have an "Adverse Effect", follow the "Adverse Effect" (Stipulation X.F.3.) steps listed above.

5.3.4. Installing or Replacing Fencing & Signage

Stipulation XIII

If the project, in whole or in part, includes fencing or signage installation or replacement that is within the boundary of an unevaluated site or a site previously determined NRHP eligible, invoke this stipulation. Because there will be work within the boundary of historic properties (or unevaluated resources treated as historic properties), send standard Section 106 letters under Stipulation X.F.2.b – "No Adverse Effect". In letters to agency and Tribal signatories, invoke this stipulation and Attachment 7. For non-



signatory Tribes (and agencies), copy and paste appropriate language from Attachment 7 into the standard letter.

No documentation of this stipulation is required in the Quarterly Report, but it should be tracked for the PA Annual Report.

5.3.5. Recreational Trails Program

Stipulation XIV

The Recreational Trails Program (RTP) is a grant program funded through FHWA and is administered by Arizona State Parks (ASP). ADOT provides environmental review (including Section 106 review) for the RTP. Stipulation XIV and Attachment 8 of the PA outline ADOT's review role for the RTP and state that ADOT will follow the appropriate sub-parts of Stipulation X of the PA to meet Section 106 requirements for RTP projects.

The process for RTP projects will largely follow the procedures outlined above, with exceptions and additional guidance outlined below.

General RTP Notes:

- RTP projects are not tracked in PTS. The HPT Specialists working on RTP projects will
 need to create and maintain a separate spreadsheet or other tracking system for
 these projects. Because they are not in PTS, it is important to save all documents
 and email in the G: drive.
- RTP projects are not given TRACS numbers; instead they are given six-digit RTP numbers (eg, 471601) which should be used on all email correspondence and documentation in lieu of a TRACS number. RTP projects are assigned federal aid numbers, which should also be used on all email correspondence and documentation.
- RTP applications are submitted by project proponents to ASP for initial review at the
 beginning of each calendar year. After initial screening, applications recommended
 for funding are submitted to ADOT for environmental review beginning in May, with
 applications arriving for review through the rest of the calendar year as they are
 approved by ASP.
- Applications are awarded in fiscal year cycles, with applications submitted at the beginning of the calendar year to be funded in the following fiscal year. Environmental clearance is required by the end of that fiscal year. For example, an application submitted in March 2017 will need to receive environmental clearance by the end of FY18 (June 30, 2018).
- RTP applications include an ASP grant application packet, project location maps, a Cultural Clearance Review Form (CCRF), a draft CE and supporting documentation.
- The CCRF is completed by the applicant's cultural resource staff (or other staff if there is no cultural resource staff). The purpose of this document is to summarize all the information needed to complete Section 106 review including land ownership,



scope of work, previous survey, presence of cultural resources, etc. All surveys, HPIFs and previous consultations are required attachments to the CCRF.

RTP Application Review Process:

- When a new RTP project is received, the Environmental Planner will create a project folder in the G: drive and notify the HPT Specialist that the RTP application is saved there for review.
- The HPT Specialist will review the application. Key items to check for include:
 - o Scope of work consistency between the application, the CCRF and the CE.
 - Consistency between the scope of work and project location maps.
 - o A complete list of land owning/managing agencies in the CCRF.
 - If the CCRF identifies surveys, HPIFs or previous consultation, check to see that all documentation is included and that surveys are adequate and cover the entire project area.
 - Justification for lack of survey (ex. previous disturbance) in the CCRF if no survey or only partial survey.
 - If a historic property is identified adjacent to the project area, that information is provided in the CCRF explaining how the property will be avoided or why the project does not have the potential to affect the property.
 - o The cultural questions in the draft CE are answered correctly.
- The HPT Specialist will conduct background research, as needed, to supplement or verify the information included in the application. However, it is the responsibility of the applicant, not the HPT, to supply all required information.
- Questions about the application or requests for missing documentation should be directed to the Environmental Planner or to ASP copying the Environmental Planner. ASP will contact the applicant.
- Once all required information is gathered, the HPT Specialist will apply the appropriate portions of Stipulations X.

Applying PA Stipulation X:

- In general, Stipulations X should follow the process outlined above, with exceptions noted below.
- Consulting Parties:
 - Consulting parties for RTP projects generally consist of SHPO and land managing agencies. FHWA has determined that, due to the limited scope and nature of RTP projects, Tribal consultation is not required unless Tribal land is involved.
 - For many RTP projects, the project sponsor is a non-profit third party applying for a grant to work on federal, state, county or municipal lands. In this instance, FHWA/ADOT has determined that the non-profit third party does not need to be a consulting party as they have no official role in Section 106 consultation. Instead, the land owning or managing agencies should be consulted.



- For many RTP projects located in state, county or municipals parks, there is underlying land ownership. For example, a State Park may be operated on State Trust land through a lease from ASLD. In this instance, both ASP and ASLD would need to be consulted.
- For PA signatories, there is a question on the CCRF asking which PA stipulation they
 feel applies to the project. If the HPT Specialist agrees with this finding, the CCRF can
 be used as a record of informal consultation on this finding. If the HPT Specialist
 does not agree, then additional informal consultation will be required,
- For Screened Undertakings (Stipulation X.C.), the class of undertaking in Attachment 3 that generally applies to RTP projects is listed under "Miscellaneous" as "Bicycle, Recreational, Pedestrian Trails—Construction, rehabilitation, and widening of existing bicycle and pedestrian trails, walkways and amenities."
- Memos should be addressed to the Environmental Planner and cc SHPO, other consulting parties (as needed) and ASP.
- Stipulation XIV and Attachment 8 do not need to be cited in consultation letters or memos, only the appropriate section of Stipulations X.

5.3.6. Local Public Agency Projects

FHWA provides financial assistance to the states for Local Public Agency (LPA) projects. ENV is responsible for ensuring that federal-aid requirements, including Section 106 review, are met on all LPA projects. Processes for implementing the PA for LPA projects are the same as for ADOT projects, with the addition of Stipulation XV below.

Stipulation XV.

For LPA projects with a finding of No Adverse Effect or No Adverse Effect with Standard Conditions, during your initial consultation/coordination with SHPO (and only SHPO), ask SHPO if they will want to see construction plans as design progresses.

For projects utilizing Stipulation X.F.2.b. (No Adverse Effect) an example letter with a second concurrence line is available for viewing here: G:\9152\H_P_T\HPT Handbook\Example letters.

For Stipulation X.F.2.a. (No Adverse Effect with Standard Conditions), coordinate with SHPO informally. The SHPO response needs to be documented to the Quarterly Report. To accomplish this, add the SHPO email response to the Quarterly Report and add the stipulation number to the title. Findings under Stipulation X.F.2.b (No Adverse Effect) do not get documented to the Quarterly Report because they require standard Section 106 letters. They should be documented in the Annual Report.

If SHPO chooses to see construction plans as design progresses, inform the project team of that decision, and put procedures in place to ensure that you receive updated plans and that you forward them on to SHPO. Document these actions in the Quarterly Report



as well as in PTS. The Quarterly Report documentation can be the email or memo to SHPO sending the plans updates. The plans themselves do not need to be included in the report; just the transmittal email or memo.

5.3.7. New Survey

If new survey is needed, work with the Environmental Planner to get a consultant tasked with conducting the survey. When reviewing a new survey report, follow the Report Reviewing Checklist and SHPO guidelines (copies are here: G:\9152\H_P_T\HPT Handbook\Example letters\Report reviewing). Regardless of whether a report is going to a THPO or SHPO, ADOT still requires consultant to follow the SHPO guidelines for report writing. Further SHPO guidance points and blank SHPO report abstracts and negative survey forms are here: G:\9152\H_P_T\SHPO Guidance and Standards. For surveys that are on another agency's or Tribe's land, be sure that any mandatory guidance they have is also followed. Fill out an HPT comment matrix for the report and send the comments back to the consultant (blank copy of HPT comment matrix is here: G:\9152\H_P_T\HPT Handbook\Example letters\Report reviewing). It is acceptable to comment in Track Changes or directly on a pdf of the report if you prefer that to using the comment matrix. Regardless of the format of your comments, be sure your comments are in the G: drive project file and that you make a note to the PTS that you made comments and to whom you sent them.

Within the category of local governments, there is a subset called Certified Local Governments (CLG). The CLG program was established in 1980 in an amendment to the National Historic Preservation Act.

5.4. QA/QC

The Historic Preservation Team Lead will be responsible for reviewing all cultural consultation letters, reports, and the cultural resources sections of the NEPA documents for consistency and accuracy. They will review the content and quality of the documentation. All comments by the Historic Preservation Team Lead will be provided to the HPT Specialist to revise the document with or without the aid of a consultant.

5.5. Technical Guidance

Additional Technical guidance and procedures can be found on the ADOT Environmental Planning Website here:

Cultural Resources.

Reference section 11.3. for Section 4(f) Review and Approval.

For additional information on Public Involvement, reference section 10.3.



6. BIOLOGICAL RESOURCES SECTION PROCEDURES

The Biological Resources Team is responsible for ensuring that all construction projects associated with the federal-aid highway program consider project-related impacts to special status species, native plants, habitat and vegetative communities, and wildlife connectivity that are regulated by federal, state or local governments.

6.1. Biology Coordination & Administration

ADOT Environmental Planning oversees biological compliance for ADOT's development program through the ADOT Biologists. The ADOT Biologists are responsible for reviewing or preparing all biology-related project deliverables and for certain types of agency coordination. All coordination and documentation related to biological resources should go through the applicable ADOT Biologist identified in the ADOT Biological Reviewers Map (posted under Technical Guidance on the ENV webpage) or as assigned by the Biology Team Lead.

It is also important for the Environmental Planner assigned to the project to be informed of developments in the biological process. The ADOT Biologist should copy the Environmental Planner on emails related to biological submittals and coordination regarding potential issues that could impact the project scope, budget, or schedule.

If there are plants within the project limits that are considered cultural or special resource for Tribes, please coordinate with the project assigned HPT Specialist.

6.2. Biological Resources/Issues Addressed

The ADOT biological process is intended to ensure project compliance with applicable federal, state, tribal, and other biological resource-related laws, regulations, orders, and policies. Biological resources/issues typically addressed through the ADOT biology process include, but are not necessarily limited to:

Species or Habitat Protected by the Federal Endangered Species Act (ESA)

The primary focus of the ADOT biology process is compliance with the federal ESA; therefore, the following ESA-protected species and habitats are the primary focus of ADOT biological documents:

- Species listed as threatened or endangered under Section 4 of the ESA
- Species proposed for listing as threatened or endangered
- Designated or proposed critical habitat
- Experimental non-essential populations, i.e., "10j" populations

Species with candidate status (i.e., candidates for listing as threatened or endangered) receive no protection under the ESA, but often receive some protection through other agency special status as identified below. Candidate species are evaluated in ADOT biological documents but are treated as sensitive/other special status species.



Other Protected Species

- Eagles protected by the federal Bald and Golden Eagle Protection Act (BGEPA)
- Birds protected by the federal Migratory Bird Treaty Act (MBTA)
- Native plants protected by the Arizona Native Plant Law
- Species subject to official Conservation Agreements

Agency-Specific Special Status Species

- Navajo Nation Endangered Species List (NESL) species (when on Navajo Nation land)
- Other tribal sensitive species (when on other tribal lands)
- US Forest Service (Forest) sensitive species (when on National Forest lands)
- US Bureau of Land Management (BLM) sensitive species (when on BLM lands)
- Arizona Game and Fish Department (AGFD) Species of Greatest Conservation Need (SGCN)

Other Species, Resources, or Issues

- All bat species
- Wildlife connectivity/movement
- Invasive species

Further guidance on the actual evaluation and treatment of protected biological resources is provided in the separate report formats referenced in the Reports section of this document.

6.3. Consultant Scope, Cost, & Schedule Estimate

During the project initiation process, the ADOT Project Delivery Manager will send a task order/work assignment to the Environmental Planner. The Environmental Planner will then send a PDS to the appropriate Technical Specialists. The ADOT Biologist will complete the biology section of the PDS and return to the Environmental Planner within five (5) business days. The PDS will provide information for the consultant to understand the project scope of work and compliance approach, such as the need for a site visit or surveys, the type of report required, and whether Endangered Species Act (ESA) Section 7 consultation may be warranted. If there are atypical situations or issues not covered in ADOT biology guidance documents, the consultant should coordinate with the ADOT Biologist directly to discuss the compliance process prior to completing the scope, cost, and schedule estimate. Please refer to chapter 3, for more information.

6.3.1. Reviewing Scope of Work & Cost Estimate

If a Biological Evaluation (BE) is expected to be required, verify the number and name of species anticipated to be evaluated in detail. For protocol surveys, the consultant scope of work should identify:

- Target species and protocol to be used
- Area(s) to be surveyed



- Number of survey visits over number of seasons
- Number of passes (for plants) or number of call points (for birds), etc.
- Number of staff that would perform the surveys
- Whether a separate survey report would be prepared or the results included in the overall biological report (as determined through coordination with the ADOT Biologist)

Labor hours and expense requirements in the cost estimate should reflect the effort described in the scope of work. For more information refer to chapter 4 Project Management.

6.3.2. Schedules

The cost estimate template includes a deliverable schedule for consultants to complete and submit with the scope & cost estimate. When completing this schedule, keep in mind that the biological clearance process generally needs to be complete at least 3 months prior to the actual project bid date. The biological clearance process is complete when all biological documents have been approved by the Biologist and any external agency coordination or consultation has been completed, including Section 7 consultation. The biology schedule must agree with any project schedule that has been set. If no project schedule has been set, coordinate with the consultant and Environmental Planner to develop a biology schedule that agrees with the overall environmental schedule. For general scheduling purposes, the following review timelines are applicable once the biological document has been submitted to the ADOT Biologist:

- 10 days for Biologist scoping letter review
- 30 days for Biologist report review and approval
- 30 days for tribal or land managing agency report review and approval
- 45 days for informal Section 7 consultation/conference, or 165 days for formal Section 7 consultation/conference (these timeframes may be shortened depending on the ADOT-USFWS liaison workload; however, the full review time should be used as a default in planning schedules).

These times do not run concurrently. See Sections 6 and 7 of this document (Reports and Section 7 Consultation/Conference, respectively) for more information.

The schedule should account for anticipated protocol surveys that are seasonal in nature or that must occur over multiple years. For example, some plant species surveys can only be conducted during spring of any given year.

If a conflict between the biology schedule and project schedule is identified during initial biology schedule development, or if at any time during the project a situation arises that



may prevent biology from being complete on time, notify the Environmental Planner immediately.

6.4. Initial External Agency Coordination & Scoping

Once the consultant's scope, cost, & schedule estimate is approved and the Notice to Proceed (NTP) is issued, the next step is further data collection, which includes any necessary agency coordination as well as official project scoping.

6.4.1. External Agency Coordination General

Other than the US Fish and Wildlife Service (USFWS) and AGFD internet queries and scoping procedures described below, the consultant is not permitted to contact any external agencies, including tribes, regarding ADOT projects without specific prior approval from the ADOT Biologist. The Biologist will determine the appropriate contact (ADOT or consultant). Many agencies have provided data or recommendations to ADOT and do not want to be contacted repeatedly for the same request. Also, some agencies and tribes have requested direct ADOT contact for project related coordination. If asking a consultant to contact an agency on ADOT's behalf, always request that the consultant follow up with an email summary of the conversation to the agency contact and the ADOT Biologist.

Scoping letters for biology should be completed per the Guidelines for Agency and Public Scoping for Projects with Categorical Exclusions (<u>Scoping Guidelines</u>), available on the ADOT Environmental Planning Guidance webpage.

6.4.2. Arizona Game and Fish Department

<u>Initial AGFD Online Review Tool Query</u>

The ADOT Biologist will complete an AGFD online environmental review tool query for all projects that are not located on tribal lands. Results will be included as an attachment to the PDS.

Updating the AGFD On-line Review Tool Query (6 months)

AGFD online review tool receipts are valid for 6 months. The consultant or the Environmental Planner will contact the ADOT Biologist to determine whether a new review tool query is needed if the query receipt is greater than 6 months old at the following milestones:

- Approval of the biology document
- Submittal of the final CE (or other NEPA document)



AGFD Scoping Letter Responses

Responses to scoping letters are typically sent to the consultant. Any AGFD responses to scoping letters which include project specific questions or proposed mitigation will be forwarded by the consultant to the Biologist and the Environmental Planner. The Biologist and/or Environmental Planner will determine the appropriate response to the letter. Concerns identified within the AGFD scoping letter are to be addressed in the biological report, typically in an Appendix (see the Biological Evaluation format). The online review tool receipt and the letter received from the AGFD during scoping will be submitted with the draft Biological Evaluation Short Form for placement in the project folder or attached to the Biological Evaluation report.

6.4.3. US Fish and Wildlife Service

The USFWS Information, Planning, and Conservation (<u>IPaC</u>) system is used to generate a species list for the project. An official IPaC report will be included as an attachment to the PDS.

If an official species list is obtained via IPaC, include the USFWS tracking number from the list on all correspondence to USFWS regarding the project, including scoping letters.

<u>Updating the IPaC species list (90 days)</u>

IPaC species lists are valid for 90 days. The consultant or the Environmental Planner will contact the ADOT Biologist to determine whether an updated IPaC species list is needed if the species list is greater than 90 days old at the following milestones:

- Approval of the biology document
- Submittal of the final CE (or other NEPA document)

6.4.4. Other External Agencies

ADOT highways across federal lands such as National Forest or BLM lands or tribal lands such as the Navajo Nation are almost exclusively on easements. This means that ADOT does not actually own the land but has permission to maintain and operate the transportation system within the highway easement. When a project is located on any federal or tribal lands the level of biological documentation required and the list of applicable sensitive species to address will be obtained through the responses to the biology scoping letters (see the Scoping Guidelines). If a response to scoping is not received from the land managing agency, the consultant will contact the ADOT Biologist to arrange a plan for further coordination with the agency.

6.4.5. Non-Governmental Organizations

Non-Governmental Organizations (NGOs) that may have biology-related concerns such as Sky Island Alliance, The Grand Canyon Trust, Center for Biological Diversity, and The Friends of SR 82 should also be sent scoping letters (see the Scoping Guidelines).



6.4.6. Invasive Species Coordination

Forward a copy of the project generic agency scoping letter and maps via email to the appropriate ADOT Natural Resources (NR) contact (see the NR contacts map on the ADOT Environmental Planning website) and copy the ADOT Biologist. Allow the NR contact 30 days to respond with any invasive species issues. If the NR contact responds with invasive species issues and/or non-standard mitigation coordinate with the ADOT Biologist on how to proceed.

6.5. General Site Visits & Protocol Surveys

Once potential protected resource occurrence and agency concerns have been identified through the previous steps, the consultant or ADOT Biologist should now know what to look for during any necessary field work as described below.

6.5.1. Permits & Permissions

Fieldwork, such as site visits and surveys, conducted on lands other than ADOT-owned right-of-way, such as tribal lands, may require landowner permissions or notification. Protocol surveys may require specific federal, state, tribal, or other permits.

- For projects in which a consultant drafts the biological compliance document, it is the consultant's responsibility to obtain the appropriate permits/permissions to complete protocol surveys; however, the ADOT Biologist may need to assist with obtaining permission in certain situations, such as for tribal lands.
- For projects being cleared in-house, it is the ADOT Biologist's responsibility to obtain any necessary permits/permissions to complete protocol surveys.

6.5.2. General Site Visits

The purpose of a general site visit is primarily to document existing biological conditions and determine whether suitable habitat for protected resources occurs in the project area. A site visit may not be necessary for urban projects or smaller projects that clearly have no impact to protected biological resources. If a site visit is warranted, information that should be collected or verified includes:

- Biotic community and dominant vegetation species
- General topography, geology, and soil information (as necessary to determine habitat suitability for certain species)
- Presence and location of suitable habitat for protected resources
- Presence and location of any semi-perennial or perennial watercourses
- Presence and location of any riparian or wetland habitat
- Representative photographs of the project area and notable features or observations, including but not limited to those described below



Although 100% pedestrian survey coverage is not necessary for a general site visit, the ADOT Biologist or consultant should note the presence and location of any of the following observations:

- Any protected species
- Migratory bird nests
- Plant species protected by the Arizona native plant law
- Plant species included on the Arizona Department of Agriculture's most current list
 of Prohibited, Regulated, and Restricted Noxious Weeds and on the BLM Arizona
 state list or Forest list if on BLM or Forest easement. A list compiled from these
 sources is posted on the ADOT Roadside Development website.
- If the project requires any work on or near any structures such as bridges or culverts, check the structures for evidence of use by bats or nesting birds, e.g., bat guano or staining and bird nests or white wash.

6.5.3. Protocol Surveys

Protocol surveys target specific species. Any protocol surveys necessary should be included in the consultant's scope of work and cost estimate that was approved by ADOT ENV. The consultant should always notify the ADOT Biologist prior to beginning protocol surveys.

In addition to information required by the survey protocol, the ADOT Biologist should ensure that the consultant's approved scope of work includes collecting the following information during surveys:

- Geospatial data for survey limits, call points (for birds), and any target species found
- Representative photographs of the survey area
- Photographs of any target species found, including close-up photos of identifying characteristics as applicable
- If target species are detected, notify the ADOT Biologist as soon as possible

This information should be included in reports or BEs submitted to ADOT (unless it is specifically not allowed by the protocol and/or permits).

The need for a separate survey report should have been established during the scope of work & cost estimate phase. See the Reports section of this document for further guidance regarding survey reports.

6.6. Reports

Once initial agency coordination and field work has been completed, a report will be prepared that evaluates the potential impacts of the project to protected biological resources. Reports



vary in content and complexity with project size, complexity, and potential to impact biological resources.

6.6.1. Report Formats

General descriptions of report formats are provided below, specific format and content guidance are provided in the separate individual report format guidance documents posted on the ADOT Environmental Planning <u>Biology technical guidance page</u>. Most federal land managing agencies and tribes will accept ADOT biological document formats. Other types of reports may be requested on occasion, such as a report of mitigation activities.

In-House Biological Memo

An in-house memo is written at the discretion of the ADOT Biologist for projects with a limited scope of work, urban projects, or projects that occur within the limits of a recently (within last 5 years) cleared project.

Biological Evaluation Short Form (BESF)

For projects with a limited scope of work that have no potential to effect species or habitat protected by the ESA, a BESF is prepared. A BESF can typically be used for projects with the potential to impact other resources such as migratory birds or protected native plants. A BESF is also typically prepared for geotechnical/potholing investigations (See Section 6).

Biological Evaluation (BE)

A BE is required for projects where an explanation is needed, either in the species exclusion table or in a detailed evaluation of a species, to justify a "no effect" finding for ESA-protected species or habitat, to make a determination of effects, or where a "may affect" determination under Section 7 of the ESA is anticipated. A BE is always prepared for projects requiring analysis on the Navajo Nation (but see Section 6.3 regarding "No BE required" letters), and may also be prepared for other projects to evaluate other special status species.

Biological Re-evaluation

In some cases the biological clearance needs to be revisited for projects where biology is already complete. This can be due to time elapsed since a project has cleared, new species listings or critical habitat proposals or designations in the project area, or changes to project scope of work that may result in impacts previously not considered. In most cases, the Biological Re-evaluation can be accomplished without the need for a formal report format by sending an email or memo to the project file or drafting an update letter for submittal to USFWS.



Survey Report

A separate survey report is prepared for protocol surveys if requested; otherwise, survey results and any data sheets or other information required by the protocol should be included in the project biological report.

6.6.2. Environmental Commitment Development & Coordination

For projects with the potential to impact protected resources, environmental commitments and conservation measures may be developed to avoid or minimize impacts, depending on the resource and likelihood of impact. It is the consultant's responsibility to identify situations where such commitments may be warranted and to relay that information to the Biologist. It is also the consultant's responsibility to develop the environmental commitments or mitigation measures and ensure they are included verbatim in the project Environmental Commitments attached to the NEPA document. Once the NEPA Approval is completed, the Environmental Planner sends these documents to the ADOT Contracts & Specifications Section, so that the Environmental Commitments can be incorporated into the special provisions in the construction contract for the project.

The Commonly Used Mitigation Measures document (available on the ADOT Environmental Planning <u>CE Guidance webpage</u>) provides biology measures for situations frequently encountered on ADOT projects. These measures should be used preferentially for those situations. If the consultant anticipates that the project will require other environmental commitments not included in the Commonly Used Mitigation Measures, coordinate with the Biologist prior to developing the commitments, as the Biologist may be able to provide examples of preferred language for that specific situation.

Any environmental commitments proposed by the consultant, including measures from the Commonly Used Mitigation Measures, must be approved by the Biologist prior to finalizing the biology document.

When biology documents require replanting as an environmental commitment, the consultant will notify the Biologist as early as possible. The Biologist will inform the Environmental Planner, the Project Manager, Roadside Development, and the District to ensure a planting and associated watering plan is being developed. This coordination and associated plan must either be complete or near completion before the biology document is finalized.

If the environmental commitments include post-design measures (construction monitoring, generating reports, etc.) the Biologist or Environmental Planner will coordinate with the District and ADOT Project Manager develop a strategy for payment.



Possible strategies include post-design services through the design consultant or including the commitment in the contractor responsibilities.

6.6.3. Process for Approving Biology Mitigation Measures

- 1) The consultant should provide a word document with all proposed mitigation. Biologist will review and tentatively approve mitigation.
- 2) The ADOT Biologist will email proposed mitigation to the ADOT Project Manager and the District RE and District Environmental Coordinator (DEC) for review and comment.
- 3) Written approval via email must be obtained from both the ADOT Project Manager and the District Engineer prior to finalizing the proposed biology mitigation. Final mitigation approval should be come from the District Engineer.
- 4) All biology commitments must go through this approval process prior to biology document submittals to *any* external agencies.
- 5) The Environmental Planner should be copied on all emails related to commitment approval. The Environmental Planner or Biologist will coordinate with the ADOT Project Manager regarding costs associated with biological commitments.

6.6.4. External Agency Considerations for Reports

As indicated in the Report Formats subsection above, most federal land managing agencies and tribes will accept ADOT biological document formats. General external agency & tribal considerations for reports are described below. Additional information is included in the separate BE Guidance and BESF Instructions (both are available on the ADOT Environmental Planning <u>Biology technical guidance page</u>).

At times it may be necessary during the report preparation phase to contact federal land managing agencies or tribes for more specific information regarding resources to be evaluated. The ADOT Biologist will generally be the point of contact with external agencies or tribes. Consultants are not to contact any external agencies or tribes regarding biological aspects of ADOT projects unless they have received specific prior approval from the ADOT Biologist.

Federal Land Managing agencies

Generally, federal land managing agency special status species are not evaluated in ADOT biological documents unless specifically requested by the agency during the initial agency coordination & scoping phase. If the agency has requested analysis of additional species, the separate BE Guidance and BESF Instructions provide direction on how to incorporate federal land managing agency special status species and other concerns into ADOT biological reports.



On some occasions, federal land managing agencies may request that additional reports be prepared, such as Forest Management Indicator Species (MIS) or Migratory Bird Analysis (MBA) reports.

• The ADOT Biologist should coordinate additional reports or analysis with the appropriate agency staff.

Navajo Nation

All ADOT projects will adhere to the most current version of the Navajo Nation Biological Resource Land Use Clearance Policies and Procedures (RCP) available on the Navajo Nation Department of Fish & Wildlife (NNDFW) website. The RCP divides the Navajo Nation into six wildlife areas based on biological resource values and establishes compliance requirements for projects occurring within each wildlife area. The RCP also identifies projects requiring a BE, depending on project type and location. Under the RCP, a BE may not be required for many ADOT projects.

As mentioned in the Initial Agency Coordination & Scoping Section and detailed in the Scoping Guidelines, either a species data request or a "No BE required" letter must be completed for all projects on the Navajo Nation. All species or other concerns included in the species data request response from the Navajo Nation should be addressed in the ADOT biological document; see the separate BE Guidance and BESF Instructions for more specific guidance regarding treatment of those species and other concerns.

Other Tribes

Generally, other tribal special status species are not evaluated in ADOT project biological documents unless specifically requested by the tribe during the initial agency coordination and scoping phase. If the tribe has requested analysis of additional species, the separate BE Guidance and BESF Instructions provide direction on how to incorporate tribal special status species and other concerns into ADOT biological reports.

6.6.5. Procedures for Receiving, Reviewing and Approving Biology Documents

When the draft biological document is due per the agreed date in the schedule, the consultant will submit the document to both the Biologist and the Environmental Planner for review. Electronic submittal either via email or the ADOT File Share site is preferable.

- 1) The Biologist will review the biology document with input from the Environmental Planner and email comments to the consultant biologist with a cc: to the Environmental Planner.
- Once the consultant has adequately addressed any comments, subsequent biology document submittals will be submitted to the Biologist with a cc: to the Environmental Planner.



3) Once the final document is submitted to the Biologist, the Biologist will approve it by sending an email to the consultant and Environmental Planner with the approved document attached. The document will include a digital "Approved" stamp and associated Biologist digital signature.

Receiving Documents for Review

- Write a note that the document was received in PTS with the consultant biologist's name and other relevant details.
- All documents saved in the project file should use the following format:

ADOT TRACS #_Document name examples:

- o F0131_BE Sub 1
- o F0131 BE Sub 2
- o H8323_AGFD Online Project Review
- o H8269 Official IPaC

Returning Comments to Consultants

- Comments can be sent by email or in a formal memo using the Bio Memo template. Copy the Environmental Planner on the email with the comments.
- Add a note in PTS that comments were returned and a brief summary

Approving Documents

- Approval can be sent by email or in a formal memo using the Bio Document Approval Memo template. Copy the Environmental Planner on the email with the approval.
- Create sub folder in biology folder: Approved BE
- Create a reduced size copy of the approved document in the Approved BE sub folder and rename it with the Federal ID, TRACS # and document type (587-A(200)T; H8113 Approved BE). Add the approval date and your digital signature in Adobe;
- Add a note in PTS that the report was approved
- Upload approved BE to the bio-portal

Biology Document Submittals for Local Government Projects

When the draft biological document is due per the agreed date in the schedule, the local governmental sponsor or their consultant will submit the document to both the Biologist and the Environmental Planner for review. The Biologist will review the biology document with input from the Environmental Planner. The Biologist will email comments to the local governmental sponsor or their consultant with a cc: to the Environmental Planner. However, communication and document comments to the appropriate individual(s) are left to the discretion of the local governmental sponsor and should be determine during the initial project meeting.



6.6.6. External Agency Submittal, Review, and Approval

For projects located on federal or tribal land, the biology document must be sent to the federal land managing agency or tribe once the Biologist has approved it. Generally, biology documents are sent as a courtesy copy for the recipient's files only, unless the agency or tribe has requested formal review or as otherwise indicated below for the Navajo Nation. Submittal of documents to USFWS as part of a technical assistance request or Section 7 consultation is addressed in the separate Section 7 Consultation section below.

Federal Land Managing Agencies

When a biological document must be submitted to a federal land managing agency, the consultant will draft a transmittal letter on current ADOT letterhead for the ADOT Biologist to review and sign. See the separate example transmittal letters to external agencies (available on the ADOT Environmental Planning Biology technical guidance page).

Once the ADOT Biologist has approved and signed the letter, the ADOT Biologist (or the consultant as approved by the ADOT Biologist) will send the transmittal letter and approved biological document to the agency or tribe either via email or standard mail as determined by the ADOT Biologist. If no response is received by the requested response date, ADOT generally considers coordination with the agency complete. The consultant should notify the ADOT Biologist if the response period ends without a response, as the ADOT Biologist may make additional contact attempts if no response is received. At times, federal land managing agencies may request more information or have comments, even if the biology document was sent as a file copy only.

Navajo Nation

For all projects where a BE is required per the Navajo Nation RCP, the biological document will be sent to the NNDFW Environmental Reviewer for review. To accomplish this, the consultant will draft a transmittal letter on current ADOT letterhead for the ADOT Biologist to review and sign. See the separate example transmittal letters to external agencies.

Once the ADOT Biologist has approved and signed the letter, the ADOT Biologist (or the consultant as approved by the ADOT Biologist) will send the transmittal letter and approved biological document to the NNDFW Environmental Reviewer either via email or standard mail as determined by the ADOT Biologist. If no response is received by the requested response date, the ADOT Biologist should make additional contact attempts to obtain a BRCF.

If the project is exempt from preparation of a BE per the Navajo Nation RCP, the consultant will prepare a "No BE required" letter to the NNDFW Environmental Reviewer as specified in the Appendix to the Scoping Guidelines. Once the ADOT



Biologist has approved and signed the letter, the ADOT Biologist (or the consultant as approved by the ADOT biologist) will send the notification letter to the NNDFW Environmental Reviewer. NNDFW will respond with a BRCF for the project.

Other Tribes

When a biology document is sent a tribe other than the Navajo Nation, the consultant will follow the transmittal letter procedure for federal land managing agencies above. See the separate example transmittal letters to external agencies. If no response is received by the requested response date, ADOT generally considers coordination with the tribe complete. However, the ADOT Biologist may make additional contact attempts if no response is received. At times, tribes may request more information or have comments, even if the biology document was sent as a file copy only. If this occurs, coordinate with the ADOT Biologist.

6.7. Geotechnical Investigations

Some projects may require a geotechnical investigation to gather information on subsurface conditions or a potholing investigation to locate subsurface utilities. Geotechnical investigations typically involve taking discrete soil/rock samples using hand tools, drill rigs, augers, backhoes, or other excavation equipment. Potholing involves exposing underground utilities to visually confirm their location. This can be done with traditional excavation equipment but is now more commonly accomplished with large truck-mounted vacuums. These minor ground disturbing activities may occur early enough in the project development process to require separate NEPA Approval prior to the overall project NEPA Approval.

6.7.1. When to Complete a Separate Biology Geotechnical Evaluation (BESF or BE)

On some occasions, particularly for smaller projects where external agency coordination is not required, the scope of the geotechnical investigation can simply be included in the overall project biological document without the need for a separate geotechnical CE. This is more likely when the overall project scope of work is known and there is enough time to obtain approval on the overall biological document before the geotechnical investigation is scheduled to begin. For larger, more complex projects that are in the early stages of design, a separate biology geotechnical evaluation may be necessary in order to allow the work to proceed prior to overall project NEPA Approval. If in doubt, the ADOT Biologist should coordinate with the Environmental Planner to determine if a separate geotechnical CE is the best approach. Depending on location and extent, biological clearance for some geotechnical investigations may require protocol surveys, preparation of a BE, and even Section 7 consultation.

6.7.2. Biology Geotechnical Evaluation Format

Generally, the biology geotechnical evaluation will be completed using the BESF template described in the Reports section below. However, as discussed above, a BE



may be required on some occasions. The Biologist should coordinate all geotechnical clearance work with the Environmental Planner as early as possible.

Depending on the project schedule or task order assignment, the Biologist may be asked to complete an in-house clearance for geotechnical activities. This typically includes the preparation of a BESF. The Biologist will work with the Environmental Planner to establish a schedule for any in-house work. Prior to approval, all in-house geo-technical documents shall be reviewed by another ENV staff member to verify project location and scope of work.

6.8. Section 7 Consultation/Conference

If there is a determination that the project may affect ESA-protected species or habitat, the biology document will be submitted to the USFWS as part of the Section 7 consultation or conference process as applicable. The consultant will notify the ADOT Biologist as soon possible during the biology process if any "may affect" determinations are anticipated. The ADOT Biologist is the point of contact with USFWS for Section 7 coordination. The consultant should never contact USFWS regarding FHWA-funded projects without specific prior approval from the ADOT Biologist.

6.8.1. Lead Federal Agency

Section 7 consultation or conference is carried out between the action's lead federal agency and USFWS. ADOT has completed the Categorical Exclusion (CE) Assignment Program under 23 USC Section 326 which designates ADOT as the acting lead federal agency for NEPA and the Endangered Species Act for ADOT projects funded by the Federal Highway Administration (FHWA) that fall into the categories listed CEs under 23 CFR Section 771.117 (c) and (d). For other types of ADOT projects funded by FHWA, (non-listed CEs, Environmental Assessments and Environmental Impact Statements), FHWA is the lead federal agency. These guidelines for lead federal agency also generally apply to other FHWA-funded projects occurring on another federal agency's land or on tribal lands, and projects involving other federal permits, such as a Clean Water Act Section 404 permit. However, other agencies that may have a federal nexus for a decision related to the project should be made aware of the need for Section 7 consultation/conference, and should be invited to any meetings with USFWS, as well as copied on formal correspondence with USFWS, such as consultation initiation letters.

For projects with a lead federal agency other than FHWA, the lead agency may also allow ADOT to act as non-federal representative. The ADOT Biologist is responsible for coordinating with the lead federal agency to determine the appropriate procedures. The ADOT Biologist will also coordinate with the federal lead agency to determine whether they will attend meetings. In addition, the Environmental Planner, District, and Project Manager will be asked to attend any meetings as necessary.



If the project is not FHWA-funded, coordinate with the ADOT Biologist to identify any federal nexus and determine the lead federal agency. If it is determined there is no federal nexus whatsoever, the project will need to avoid take of listed species or may need to follow the ESA Section 10 process for impacts to ESA-protected species. Coordinate with the ADOT Biologist if this is the case.

6.8.2. Effect Determination Implications

The Section 7 process followed will depend on the effect determinations made in the biological report for ESA-protected species or habitat as described below. See the separate BE Guidance document for additional guidance on effect determinations.

It is important to note that effect determinations are ultimately made by the lead agency. The ADOT Biologist reviews all determinations and if the consultant and ADOT Biologist disagree on a potential affect, the ADOT Biologist will make the final determination (in consultation with FHWA, as appropriate).

No consultation/conference

If only "no effect" determinations are made for ESA-protected species or habitat, the reasoning will be documented in the BE. No Section 7 consultation/conference or other USFWS review or approval is required. The USFWS does not review "no effect" determinations.

USFWS consultation/conference required

If a "may affect, is not likely to adversely affect" (NLAA) determination or a "may affect, is likely to adversely affect" (LAA) determination is made for any listed species, proposed species, designated critical habitat, or proposed critical habitat, see the BE Guidance document for details on developing the BE and associated correspondence

6.8.3. Submittals to ADOT Environmental Planning

The consultant will submit the items below to the ADOT Biologist via email or Sharefile (unless requested as a hard copy). The ADOT Biologist will prepare or approve all documentation for transmittal to USFWS:

- A Word version of the draft Section 7 consultation/conference initiation letter
 - All letters requesting concurrence or a biological opinion from the US Fish and Wildlife Service will be reviewed and signed by the ADOT Biology Team Lead or the ADOT Biology Program Manager.
 - The ADOT biology team lead will ensure that all projects with the potential for section 7 consultation will be added to the USFWS tracking/priority list. This list is saved on the G: and is sent to the ADOT FWS transportation liaison on a monthly basis.
- Both a PDF version and a Word version of the approved biological report



6.8.4. Consultation/Conference Results

Informal Consultation/Conference

The ADOT Biologist will review the draft USFWS response letter and coordinate with the USFWS transportation liaison. The ADOT Biologist should also review the letter for any conservation measures that are inconsistent with the environmental commitments included in the approved biological report. The Biologist will notify the Environmental Planner of any inconsistencies to determine whether the commitments can still be accommodated. Once the conservation measures are finalized, the consultant will incorporate the measures into the Environmental Commitments which will be attached to the project NEPA document.

Formal Consultation/Conference

The Biologist will review the draft Biological Opinion (BO) from USFWS for wording in the action description, Reasonable and Prudent Measures and Terms and Conditions that are inconsistent with the environmental commitments included in the approved biological report. The Biologist will notify the Environmental Planner of any inconsistencies to determine whether the commitments can still be accommodated. Additional coordination between the Biologist, and the USFWS Transportation liaison may be necessary.

Once the final BO is issued, the Biologist will notify the ADOT Project Manager, RE and DEC of any changes to the measures from the draft BO. The consultant will incorporate the finalized measures into the Environmental Commitments which will be attached to the project NEPA document.

6.8.5. Technical Assistance

If there is question regarding a potential effect determination or other items such as environmental commitments or the need for surveys, the Biologist will contact USFWS. This coordination may be considered technical assistance and not official Section 7 consultation/conference, depending on the outcome. At times, a draft biology document or other information may be submitted to USFWS by the Biologist as part of technical assistance.

6.9. Biology Approval & NEPA Document

The Biologist will work closely with the project consultant to ensure the biological resources are adequately addressed in the biological documents and that the submittals from the consultants are of good quality. The biological compliance process is complete for a project once the Biologist has approved the biological document, any necessary coordination with external agencies on the biological document is complete, and any necessary Section 7 consultation/conference is complete. If no external agency coordination or Section 7



consultation is required, the biology process is complete once the Biologist approves the biological document as applicable.

The Biologists will then review the NEPA document to ensure the biological environmental commitments are included and that the scope of work and limits are consistent.

6.10. Environmental Commitment Implementation

Once a project is cleared to go to bid, any post-NEPA approval environmental commitments must be implemented. Common environmental commitments include avoidance areas, preconstruction surveys, monitoring, and implementing contactor awareness training programs. The ADOT District and/or the contractor are responsible for implementing some commitments, such as avoiding certain areas. However, other commitments such as pre-construction species surveys and awareness training programs must be implemented by an ENV-approved biologist per the Consultant Qualifications section below. A biologist may also need to attend the preconstruction meeting or other meetings with District and/or contractor personnel to answer any questions regarding the environmental commitments.

The ADOT in coordination with the Environmental Planner and ADOT Project Manager will determine who will implement biological commitments requiring a biologist. Depending on the type of commitment, permitting requirements, project funding, and other considerations, measures requiring a biologist may be implemented by:

- The consultant biologist involved with clearing the project,
- Another ADOT consultant biologist,
- An ADOT biologist,
- A biologist hired or sub-contracted by the construction contractor, and/or
- Arizona Game and Fish Department (though an existing agreement with ADOT)

The ADOT Biologist may be called on for assistance if there are issues with implementing biological commitments within the project schedule. For example, if it is determined that preconstruction surveys are necessary and the consultant cannot obtain the proper permits in time, the ADOT Biologist should be notified so that other arrangements can be made. As another example, if a commitment requires the construction contractor to remove all inactive bird nests from structures prior to February 1, but the construction contract will not be in place until after February 1, the ADOT Biologist should be notified so that an alternative approach can be developed, such as ADOT District personnel or an Environmental Planning on-call consultant removing the inactive nests prior to February 1.

6.10.1. Internal QA/QC Procedures

This process will be used to ensure that documents prepared by ADOT biology staff are consistent and meet standards prescribe in in this document and in the BE Guidance and BESF Guidance.



- 1. Prior to final approval, all biology documents prepared by ADOT biology staff will be reviewed by another ADOT Environmental Planning Staff member
- 2. Reviews should verify all project information is correct and the scope of work is consistent with all NEPA documents.



7. HAZARDOUS MATERIALS SECTION PROCEDURES

Once the Hazardous Materials Coordinator is assigned to a project as noted in chapter 2, Project Assignments, they should begin working closely with the Environmental Planner and project team on the project. The Hazardous Materials Coordinator shall be involved early in the process to determine the project scope, schedule and budget. Please reference chapter 4, Project Management for more information regarding developing the consultants scope and fee and developing the schedule.

7.1. QA/QC

The Hazardous Materials Coordinator is responsible for reviewing internal and consultant created technical reports and the Hazardous Materials sections in the NEPA documents for accuracy and consistency. Please refer to chapter 11, for more information. If documents are created internally by a member of the group, they will be peer reviewed prior to approval. When technical analysis results in mitigation requirements, the Hazardous Materials Coordinator must relay this to the Environmental Planner.

7.2. Coordination

If coordination between the ADOT project team and a regulatory agency is required, depending on the complexity of the project, the Hazardous Materials Coordinator will schedule a meeting or conference call to assist in answering questions or resolving issues.

If meetings take place regarding a technical subject, Environmental Planners and ADOT Project Managers should be invited. If agencies raise concerns or if an issue has the potential to impact the scope, schedule or budget the ADOT Project Manager should always be made aware.

7.3. NEPA Document Review Procedures

The following is a step-by-step process for the Hazardous Materials Team staff on how to review NEPA documents for hazardous materials.

- The Environmental Planner assigned to the project sends in the Environmental Clearance to be reviewed to the Hazardous Materials Section Supervisor via email. Note: The Environmental Clearance documentation usually consists of a Categorical Exclusion Checklist and Environmental Commitments.
- 2. Once the Hazardous Materials Section Supervisor receives the email request, it is put onto the Project List for the date received.
- 3. The Hazardous Materials Section Supervisor then forwards the Environmental Clearance to the Hazardous Materials Specialist to review.



- 4. 4. The Hazardous Materials Specialist reviews the Environmental Clearance and any additional documents with regards to the Hazardous Materials Section. Note: Example of typical Hazardous Materials Section documents that are reviewed includes the Preliminary Initial Site Assessment (PISA), Phase I Environmental Site Assessment (Phase I ESA), Asbestos (ACM) and Lead-Based (LBP) Paint Report or ACM-LBP Report, and Soil Sampling Report.
- 5. The Project Tracking System (PTS) database is to be utilized part of the Hazardous Materials Section review. Within PTS there are Hazardous Materials entries under the Hazardous Materials Tab. The Bid Advertise Date is under System dates.
- 6. Additional resources are utilized part of the Hazardous Materials Section review to ensure due diligence is achieved. Examples of resources that are utilized are online resources such as, Google Earth, Google Maps, ADEQ GIS Emaps, ADOT Videolog, ADOT Bridge Inventory, Feature Inventory System or FIS or documentation on the server such as, Design Plans or Engineering Schematics.
- 7. The scope of work for the project is analyzed with regards to the type of impact associated with the project. Depending on the impact/disturbance, project location, and if any contamination is present the appropriate mitigation measure may need to be added or existing removed.
- 8. The Commonly Used Mitigation Measures are posted on the Environmental Planning webpage for NEPA Guidance; first bullet point under Resources at the link, "Commonly Used Mitigation Measures". Note: The Commonly Used Mitigation Measures are referenced in the review email and referenced as comments and which mitigation measures are to be added for the project. Recommendations also include the removal of mitigation measure based on no impact/disturbance or not needed for the project.
- 9. After the Environmental Clearance has been reviewed, including the Hazardous Materials Section documentation and due diligence is achieved recommendations are made on which Hazardous Materials mitigation measures to include or remove.
- 10. An email is finalized and forwarded with the summary of the Hazardous Materials section review and the Bid Advertise Date noted to the Hazardous Materials Supervisor for final approval. Note: Typical attachments that are included for the Hazardous Materials Section that get forwarded to the Hazardous Materials Supervisor are the Environmental Clearance (CE Checklist and Environmental Commitments), PISA, ACM-LBP Report.
- 11. The Hazardous Materials Supervisor reviews and approves the Hazardous Materials Section review with regards to the Environmental Clearance and emails back the Hazardous Materials Specialist with any comments to be communicated to the NEPA Planner.



- 12. The Hazardous Materials Specialist formalizes the approval and emails the Environmental Planner. Note: The Hazardous Materials Specialist posts any Hazardous Materials documentation such as the PISA or ACM-LBP Report for the project on the server for the Hazardous Materials Folder and online to AIDW. AIDW is only accessible via Internet Explorer at http://aidw/aidw2/.
- 13. The Environmental Planner receives the Hazardous Materials Specialist email regarding the Hazardous Materials Section approval and incorporates the comments for the Environmental Clearance.
- 14. The Hazardous Materials Section approval email is filed on the server by the Environmental Planner for the project under the Clearance Documents Folder and within the Backup Folder. Note: A copy of the Final Approved Environmental Clearance is under the Clearance Documents Folder.

7.4. Technical Guidance

For more information on internal procedures or the Environmental Clearance Review Checklist for the Haz-Mat Section, technical guidance on how to complete asbestos and lead based-paint testing and reporting, PISAs, or Phase 1 ISAs, consult with the Hazardous Materials Team. For additional technical guidance, go to the ADOT website.

<u>Hazardous Materials Assessment</u> Material Source Guidance



8. AIR QUALITY & NOISE SECTION PROCEDURES

The Air Quality and Noise Coordinators are responsible for determining if technical analysis is required for a project, and subsequently the required level of effort. Once the project is initiated, the Environmental Planner is required to ask questions of the project team relating to adding capacity or impacts to adjacent properties such as additional lanes, or a significant change in the horizontal or vertical alignment of existing highway. If there is an indication of the activities stipulated above, the Environmental Planner should discuss this as early as possible with the Air Quality and Noise Coordinators. This will foster better communication within external and internal parties, and promote more accurate documentation of construction activities.

8.1. QA/QC

If technical analysis is needed, the ENV Planner, the Air Quality and Noise Coordinators, and consultant should meet to discuss the options, and types of analysis needed before moving forward. All consultant prepared reports will be reviewed by the Air Quality and Noise Coordinators for methodology, accuracy and consistency. If it results in mitigation measures, the Coordinator is to inform the Environmental Planner. If a report is prepared in-house, it shall be reviewed by their immediate supervisor.

8.2. Coordination

The Air Quality and Noise Coordinators will work directly with the required regulatory agencies to process reviews and approvals. If additional coordination between the ADOT project team and an agency is required, depending on the complexity of the project, Coordinator will schedule a meeting or conference call to assist in answering questions or resolving issues. If meetings take place regarding a technical subject, Environmental Planners and ADOT Project Managers should be invited. If agencies raise concerns or if an issue has the potential to impact the scope, schedule or budget the ADOT Project Manager should always be made aware.

The required communication processes to comply with Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Laws is described in the <u>State Conformity implementation Plan</u> developed to satisfy the requirements of Clean Air Act section 176(c)(4)(E). The required communication processes to comply with Title 23: Highways - Part 772-Procedures for Abatement of Highway Traffic Noise and Construction Noise is described in Chapter 8 of the "Arizona Department of Transportation Noise Abatement Requirements", May 2017.

8.3. Procedures

Once the scope of work for a project has been established, the Environmental Planner will forward that information to the Air Quality and Noise Coordinators for review. The Air Quality and Noise Coordinators will fill out the Air and Noise Screening Checklists and save the



completed forms to the electronic project folder in the G-drive. The Screening Checklists will indicate whether a project is exempt from further analysis or if the project requires more analysis, technical reports and/or consultation. The Air Quality and Noise Coordinators will send an email to the Environmental Planner indicating when that screening has been completed. Communication on whether technical analysis is needed or not should be communicated between the Environmental Planner and the Air Quality and Noise Coordinators as early as possible to assist with the hiring of an environmental consultant.

The Planner will reference the completed Screening Checklists and/or the final approved technical documentation when they complete the CE checklist and commitments sheet. The Environmental Planner will send the draft CE checklist and commitments sheet to the Air Quality and Noise Coordinator for review. The Coordinators will respond to the Environmental Planner with comments or an approval email. The Air Quality and Noise Coordinators will save the approved technical documents to the project electronic folder, upload them to AIDW, and make a note in PTS to document that Air Quality and Noise analysis is completed.

8.4. Technical Guidance

For more information regarding the preparation of technical analysis, reports, modeling and/or consultation procedures, please refer to the Air Quality and Noise sections on the Environmental Planning web page.

Air Quality Noise



9. WATER RESOURCES SECTION PROCEDURES

The Water Resources Coordinator is responsible for reviewing project needs and permitting requirements associated with the Clean Water Act, Sections 401, 402 and 404.

When a project is initiated, the Environmental Planner should inquire what the potential impacts or implications are to potential Waters and what the is the estimated acreage for the construction footprint. The Project Manager should be made aware if potential Waters may be impacted during construction. Impacts will need to be minimized to the extent possible. The Environmental Planner should discuss the project as early as possible with the Water Resources Coordinator. All Section 404/401 reviews should begin with a discussion of permit needs and type at the same time that all other technical areas are also initiated. This will foster better communication within external and internal parties, and promote more accurate documentation of construction activities.

9.1. Section 402 Process

Section 402, the National Pollutant Discharge Elimination System (NPDES) program regulated by the EPA addresses water pollution by managing, identifying and potentially eliminating point source discharge pollutants to Waters; a point source is further defined by the EPA as a specific physical location. Per the definition, a construction site is considered to be a point source. The EPA has authorized the State of Arizona to operate under a state level permit program, the Arizona Pollutant Discharge Elimination System (AZPDES) Permit Program. All facilities that discharge pollutants from any point source into Waters are required to obtain or seek coverage under an AZPDES permit when on non-tribal lands. When on tribal lands, the Tribal Agency and the EPA should be consulted for proper permitting requirements under the NPDES. Section 402 may be part of the NEPA evaluation process but is not likely to affect signatory requirements regarding NEPA approvals.

Under the NPDES and the AZPDES regulated by the EPA and ADEQ respectively, the Construction General Permit (CGP) authorizes stormwater discharges from construction-related activities where those discharges have a potential to enter surface Waters or a Municipal Separate Storm Sewer System (MS4). Any construction site at or in exceedance of one acre of land or disturbs less than one acre of land but is part of a larger common plan of development that will ultimately disturb one acre or more is required to obtain coverage under a CGP. Any maintenance project at or in exceedance of five acres is required to obtain coverage under a CGP. Any areas within non-tribal lands are regulated by ADEQ; any areas on tribal lands are regulated by the EPA in coordination with the appropriate Tribal Agency. The Environmental Planner should coordinate with the Water Resources Coordinator, the Project Manager and Roadside Resources to determine the final footprint associated with any project and if CGP permitting may be required. It is important to note that construction and maintenance as defined by the regulating entity may vary from that as defined by ADOT. The Water Resource



Coordinator may aid in determining proper classification of projects in terms of permit definitions and requirements. If the project in question is within ¼ mile from and has the potential to discharge to an Impaired (Section 303(d) of the CWA) or Outstanding Arizona waterbody, additional documentation will be required which includes the submittal of the Stormwater Pollution Prevention Plan (SWPPP) to the regulating agency, sampling and analysis plan, and identification of specific control measures necessary to ensure discharges will be consistent with the provisions of the Total Maximum Daily Load, if applicable. For More information go to the Arizona Pollutant Discharge Elimination System General Permit for Stormwater Discharges Associated with Construction Activity to Waters of the United States.

During project initiation, the Water Resources Coordinator will evaluate if the project is potentially within ¼ mile from an Impaired or Outstanding Waters and will advise the project team accordingly. Additional coordination may also be required with the regulating agency. This discussion should always be initiated with the Water Resources Coordinator.

9.2. Section 404/401 Process

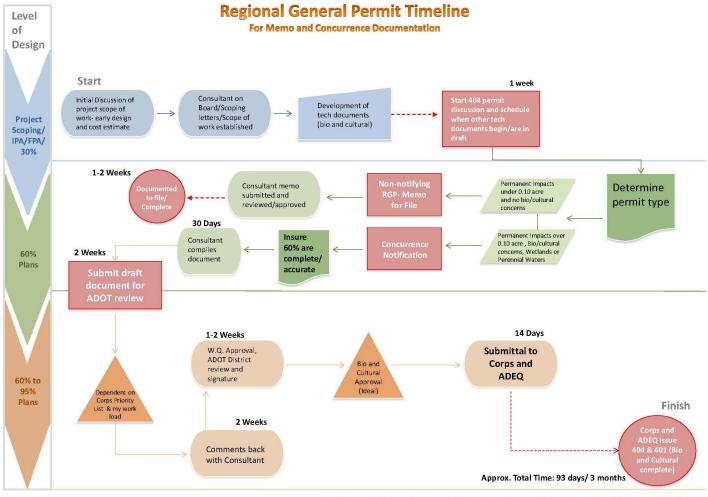
As defined by the <u>ADOT Clean Water Act Section 404/401 Guidance Manual</u>, Section 404 regulates the discharge of dredge or fill material into waters of the US (Waters). Section 404 is regulated by the Army Corps of Engineers (Corps); the Environmental Protection Agency (EPA) may review regulated fill activities in conjunction with the Corps. Section 401 allows for state certification of the federal Section 404 permitted activity and is necessary for all activities that may result in a discharge into Waters. It ensures that an activity will not violate applicable water quality standards. On all non-tribal lands, the Arizona Department of Environmental Quality is responsible for issuing the Section 401 Water Quality Certification. On tribal lands, the EPA or the governing Tribal Agency may be responsible for issuing the proper permit.

The Environmental Planner should consult with the Water Resources Coordinator to determine the appropriate regulating agency involved. Sections 401 and 404 may have implications requiring additional evaluation in terms of signatory requirements for NEPA approval.

All Section 404 and Section 401 documentation submitted by the consultant, private parties or local agencies are to be reviewed by the Water Resources Program Coordinator, as well as reviewed and signed by the appropriate signatory prior to submittal to the appropriate regulating agency. Permitting options for Section 404 and Section 401 include the Regional General Permit 96 (RGP), Nationwide Permits (NWP), Individual permit and conditional or individual Water Quality Certification.

Application for permitting requires the description and design details pertaining to reasonability anticipated construction impacts, both temporary and permanent. An appropriate level of design is required prior to submitting to the regulating agencies. This is typically available at 60% design.





*Sufficient design information available at approximately 60% plans for both ADOT and LPA projects.

Process should start when the other technical areas start.

Applies to Non-Tribal Lands, ADOT bid and administered projects.

Approximately 90% of projects requiring a permit will either use a RGP or Nationwide Permit (NWP). Below is a flowchart description of the steps and time associated with the use of the RGP, specifically the modified concurrence notification process. The total time associated with processing concurrence notifications associated with the use of the RGP is approximately 3 months. This allows for technical, district and agency reviews, but it is important to note this is dependent on workload distribution of the 3 disciplines mentioned above. Non-notifying use of the RGP is approximately 2 weeks, which would be similar to the use of a non-notifying NWP. NWP with Preconstruction Notification is approximately 3-5 months in total processing time.

Individual 404 permitting may vary in total time and require additional coordination steps and meetings to properly process; estimated time associated with Individual permitting is 6-9 months if not more if design information is not readily available.



In processing any form of permitting associated with Section 404 or Section 401, it is important to have the most accurate information regarding scope of work. Accurate information should include information concerning both temporary and permanent impacts, the specific location, design details which are unlikely to change, and information that has been previously discussed with the district.

9.3. QA/QC

All permit application materials will be reviewed by the Environmental Planner and the Water Resources Coordinator for consistency and accuracy. If edits are required, those will be sent back to the preparer to revise and resubmit.

9.4. Coordination

The Water Resources Coordinator will work with the ADOT/Corps Liaison to process reviews and permits. If more additional coordination between the ADOT project team and the Corps is required, depending on the complexity of the project, the Water Resources Coordinator will schedule a meeting or conference call to assist in answering questions or resolving issues. If meetings take place regarding a technical subject, Environmental Planners and ADOT Project Managers should be invited. If agencies raise concerns or if an issue has the potential to impact the scope, schedule or budget the ADOT Project Manager should always be made aware.

9.5. Technical Guidance

For more details concerning the permitting process, refer to:

- The ADOT Clean Water Act Section 404/401 Guidance Manual,
- additional permit guidance on the ADOT Water Resources webpage
- and always coordinate with the <u>ADOT Water Resources Program Coordinator</u>



10. PLANNING SECTION PROCEDURES

Environmental Planners are responsible for managing the schedule, scope and budget of the environmental efforts that culminate with an environmental document and NEPA Approval.

10.1. Internal Coordination

If meetings take place regarding a technical subject, Environmental Planners and ADOT Project Managers should be invited. As the Environmental Planner is the environmental project manager, they should be up-to-date on any technical issues that arise on the project. If agencies raise concerns or if an issue has the potential to impact the scope, schedule or budget the ADOT Project Manager should always be made aware.

10.2. QA/QC of Letters

For projects that fall under the CE MOU, all letters that would have been additionally reviewed and sent by FHWA, will now need to be reviewed internally for quality. The Environmental Planner will submit these letters to their immediate supervisor (if their supervisor is unavailable, another supervisor at the same level) to review the letters for quality and substance.

The following letters require a supervisor level review:

- Section 4(f) coordination letters
- Cooperating and Participating agency letters

If an Environmental Planner prepares the following letter, a peer review is required. If they are prepared by an environmental consultant, the Environmental Planner completes that peer review.

- Sole Source aquifer letters
- Scoping letters
- Other letters

For all projects that do not fall under the CE MOU, continue following the protocol of submitting the final draft letters to FHWA for final review and sending.

10.3. Public Involvement

Some CE's, and all EA's and EIS' will require public outreach. Some projects may even warrant outreach for specific technical topics such as Section 4(f) or Section 106. The Environmental Planner along with the project team and ADOT Communications will decide the best timing, and method to gather input from the public. Generally for CEs, outreach takes place when the project has alternatives or when it's a large project potentially impacting many stakeholders or one that the public would have interest in. For EA's and EISs, public outreach should occur at the beginning during scoping, when alternatives are being decided (potentially one or two



meetings), and there should be one or multiple public hearings at the end of the process. The best method or approach (meeting, workshop, open house, newsletter, etc.) chosen should be based on the input that the team wishes to receive from the public. Environmental Planners are responsible for assisting ADOT Communications with preparation activities, assisting in preparing and reviewing of outreach materials, and are responsible for attending all public outreach meetings. If an Environmental Planner has a conflict and cannot attend, they must find a replacement Environmental Planner to attend on their behalf. If the project team anticipates questions of a technical nature (such as noise or air pollution impacts), the Environmental Planner should invite the ADOT Technical Specialist to attend the meeting so they can answer any questions they may have. If questions regarding ROW acquisition are asked at the meeting, refer them to the ROW section. If a project anticipates many ROW acquisitions, it might be best to have the ROW specialist attend to answer any questions that the public may have. If media representatives are present and would like to ask questions or interview team members, they should to be referred to ADOT Communications staff present at the meeting. Please reference the ADOT Public Involvement Plan, CEQ regulations or the FHWA toolkit for more information. Keep in mind all projects are different and the level of outreach needed and provided will be based on the scope and level of interest of the public, consistent with 36 CFR 800.2(d)(1).

10.4. Administrative Records

40 CFR 1505.1[c] requires "...that relevant environmental documents, comments, and responses be part of the [administrative] record in formal rulemaking or adjudicatory proceedings." For CEs which are generally smaller in scale, the project folder in the G-Drive serves as the administrative record as well. For CE's, the Planner and Technical Specialists are responsible for creating and maintaining this Administrative Record. For EA's and EIS', which are larger in scale and could take multiple years to complete, it is important to consider creating an Administrative Record at the start of the project. The regular project file contains all draft and final documents, all communication, public outreach materials, etc. basically everything that happened throughout the NEPA process. The Administrative Record only contains final documents, the process and decision related decisions. The Administrative Record is needed if the State is sued on the EIS. The Administrative Record is what the Court will use in deciding any lawsuits filed on a project. The State Attorney General may request additional documentation that was not included. Some EISs can take many years to complete and staff may change on the project over time. This is why it is important to document decisions along the way instead of at the end when the state gets sued. This item should be discussed early in the process when beginning the scope of the work for the EIS and discussing the consultant tasks. A designated record keeper should be assigned to this duty or a special email account should be created where all such applicable files should be saved. For additional guidance see the AASHTO Practitioner's Handbook 01 "Maintaining a Project File and Preparing an Administrative Record for a NEPA Study" and the FHWA online Toolkit. The responsible person for creating and maintaining the Administrative Record for EA's and EIS can be the project Planner, a consultant, or another project team member designated to that role.



11. QUALITY DOCUMENTS & REVIEWS

All documents submitted to ENV by consultants, or written in-house, should be reviewed for format, structure, accurate content, spelling, and grammar prior to each submittal. Each submittal shall include a transmittal letter documenting who completed the QA/QC review.

11.1. QA/QC Resources

There are a multitude of documents online available to support environmental analysis and NEPA documentation. Follow the links below for document templates and guidance.

Additional ADOT Guidance

Categorical Exclusions (CE) & Environmental Assessments (EA)

Categorical Exclusion Scoping Guidance

Geotechnical Guidance

Commonly Used Mitigation Measures

ADOT Local Public Agency Manual

Complete Transportation Guidebook

ADOT Guidelines for Highways on BLM & Forest Lands

Federal & AASHTO Guidance

23 CFR 771 – Environmental Impact and Related Procedures

40 CFR Council on Environmental Quality Part 1500's

NEPA and Transportation Decision Making

AASHTO's Practitioner's Handbooks

Guidance for Preparing and Processing Environmental and Section 4(f) Documents

Improving the Quality of Environmental Documents

FHWA Memorandum on Improving the Quality of NEPA Documents

Center for Environmental Excellence, NEPA Process

Environmental Justice Population Guidance

FHWA Environmental Toolkit

FHWA Technical Advisory Guidance

SAFETEA-LU

MAP-21

FAST ACT

11.2. Review and Approval Procedures

Document review and approval procedures are described below. See the Appendix for ENV timeframes.

11.2.1. Technical Document Review

All technical documents submitted by consultants, private parties or local agencies are to be reviewed by the Technical Specialists assigned to each project. When submitting



technical documents to the specialists, the Environmental Planner should be copied on the email submittal. This will allow the Environmental Planner to monitor project timeframes. For example a Class III Cultural Survey Report shall be submitted directly to the HPT Specialist and the Environmental Planner should be copied on the email transmittal.

No more than two review submittals are expected. If there are still more errors that need to be addressed after the second review, a meeting or phone conversation between the Technical Specialist and the submitter should be arranged to discuss and resolve the remaining comments. If the Technical Specialist needs assistance from their supervisor, then they may request that their supervisor also review the document. However, timeframes for two specialists to review a document should be included in the schedule and coordinated with the Environmental Planner. The Technical Specialist should confirm with the Environmental Planner that the scope of work within the technical document is correct.

Once the Technical Specialists approve the technical analysis/documents, the approved documents will be uploaded to the G-Drive, and AIDW (unless there are confidentiality concerns such as with cultural documentation). For unlisted (d) CEs, EAs and EISs, the Technical Specialists should send a copy of the final document to FHWA for their approval and file. All technical analysis and document approvals should be made prior to approving the NEPA document. In some cases, a permit such as a 404 permit may be issued afterwards if there is reasonable assurance that there are no adverse impacts to environmental resources and there are no alternatives still under consideration.

11.2.2. NEPA Document Review & Approval

For a CE Checklist, the Environmental Planner assigned to the project will fill out the checklist and send it to the assigned Technical Specialists for review. Once all of the Technical Specialists have provided their review comments, the Environmental Planner will address their comments and consolidate the emailed technical review comments into the "backup" folder. The Environmental Planner will then complete the "Document Review Form" to document that the technical specialists have reviewed the CE. The Environmental Planner will then provide the revised CE and "Document Review Form" to their supervisor for a QA/QC review. The supervisor will fill out the "CE QA/QC Form" and will provide this back to the Environmental Planner with any comments they have on the CE. Once the Environmental Planner has addressed all comments, they will provide the CE, commitments sheet, any required attachments to the Planning Section Manager level [for (c) and (d) listed CEs] for final review and approval. Un-listed (d) or individual CE's will additionally require the ENV Administrator review and approval before they are submitted to FHWA for final approval.



All unlisted (d) CE's, EAs and EIS also require a review by the ADOT Civil Rights Office. Be sure to include this review time into the project schedule.

The "Document Review Form" (see Appendix) will be completed for each project by the Environmental Planner and saved into the electronic backup folder. These forms list all reviewers, review dates and comments, etc. The Environmental Planner's supervisor is responsible for saving a copy of their review comments and the "CE QA/QC Form" in the electronic project folder. Both of these forms will be reviewed for project timeliness and document quality based on comments and number of submittals. This review process will be completed on a regular basis by ENV. Corrective action may be needed based on the review. The QA/QC & Procedures Manual will also be evaluated and updated accordingly. ENV staff will be made aware of the assessment results, and any revisions made to this Manual and process improvements.

For CE's, once the final document has been approved by ENV and/or FHWA, the Environmental Planner will email or deliver a hard copy of the approved document to the appropriate ADOT, consultant and/or LPA, and FHWA (only for unlisted (d)/individual CEs) contacts on the distribution list (see Appendix for the NEPA Approval Distribution Email Template). For FHWA approved CE's, a transmittal letter is also required for when submitting to FHWA.

For EAs or EISs, all first draft NEPA documents are to be submitted directly to the Environmental Planner assigned to the project. The Environmental Planner will then immediately distribute the document to the Technical Specialists assigned to the project for their concurrent review. The Environmental Planner will include a review due date in the distribution email. All review timeframes are specified in the ENV Timeframe Guidelines (See Appendix). Once all of the Technical Specialist comments are received, the Environmental Planner will complete the "Document Review Form" and provide it along with the first submittal document with all of the comments to their supervisor for a QA/QC review. The supervisor will provide their comments and the completed "EA/EIS QA/QC Form" (COMING SOON!) back to the Environmental Planner for editing. The supervisor is responsible for saving a copy of their comments and the completed "EA/EIS QA/QC Form" into the electronic backup folder. The Environmental Planner will then work with the preparer of the document to ensure that all of the comments are addressed.

EA's and EISs should also be routed to the ADOT Project Manager for review and comment at the same time the Environmental Planner, Technical Specialists and Civil Rights are reviewing them.

The second draft submittal will only go back to the Technical Specialist or others if the comments were highly technical within the specific discipline, difficult in nature, or



requested by the reviewer. If all of the comments were addressed, the Environmental Planner will provide the document to the ENV Administrator for final review and approval. Only two (2) review submittals are expected. If there are still more edits that need to be addressed after the second review, a meeting and/or phone call between the Environmental Planner and the submitter should be arranged to discuss and resolve them. If the submitter needs more time or information in order to address the remaining comments, the Environmental Planner needs to coordinate the schedule impacts with the project team and/or assist in finding the information needed.

The Environmental Planner will then send a digital or hard copy of the NEPA document along with a transmittal letter to FHWA for review and approval. No more than two (2) submittals to FHWA should be expected. See the <u>FHWA and ADOT EA Guidance</u> for more information on EA's. (new EA/EIS Manual is COMING SOON!)

For projects that require FHWA review and approvals, please refer to the Environmental Joint Program Management Guideline for FHWA review timeframes.

For EA's and EIS', another round of reviews will be needed after the public hearing for the Final EA and Finding of No Significant Impacts (FONSI), or for the Final EIS and Record of Decision (ROD). Please see the EA/EIS Manual for more information (COMING SOON!). EIS' will also require a legal sufficiency review of the Final EIS. However, the legal sufficiency review can be completed earlier for the DEIS, if preferred. Coordinate with FHWA on the timing of this step. (Legal sufficiency guidance COMING SOON!).

For record keeping, the Environmental Planner will create a "backup" folder within the "Environmental Clearance", "Environmental Assessment", or "Environmental Impact Statement" folder and keep the technical review emails, supervisor review comments, and any other review comments. All document submittals will be saved in the electronic folder. The final approved NEPA documents will be saved within the electronic project folder and AIDW as described in chapter 4, Project Management.

11.3. Section 4 (f) Review & Approval

Section 4(f) properties are:

- Parks and recreation areas of national, state or local significance that are both publically owned and open to the public
- Publicly owned wildlife and waterfowl refuges of national, state or local significance that
 are open to the public to the extent that public access does not interfere with the
 primary purpose of the refuge
- Historic sites of national, state or local significance in public or private ownership regardless of whether they are open to the public. The property must be individually eligible for inclusion or listed in the National Register of Historic Places. The property



must be eligible under criterion A, B, C, or under D only if it warrants preservation in place.

This section only provides guidance on how to process projects with potential section 4(f) resources, it does not provide guidance on conducting section 4(f) evaluations. Please reference 23 CFR 774 and the <u>FHWA Policy Paper</u> for more information on how to identify and evaluate Section 4(f) properties.

All Environmental Planners and HPT Specialists should coordinate with their supervisors and/or peers as needed regarding all potential Section 4(f) properties and decisions. This is to ensure that Section 4(f) determinations are appropriate and consistently applied.

<u>Historic Section 4(f) Properties / HPT Specialist Procedures</u>

HPT Specialists are responsible for identifying (with the assistance of the project team and consultants) historic Section 4(f) resources. If a potential Section 4(f) property is identified within or near a project's study area or footprint, the HPT Specialist shall send an email to their HPT Team Lead answering the following questions for their consideration:

- Why this is a Section 4(f) resource?
- Can the 4(f) resource be avoided?
- Does an exception apply?
- Is there a "Use" and if so, what type (temporary or permanent)?
- How do you propose to process it (documenting to file, writing a letter to the Official with Jurisdiction/consultation letter, or writing an analysis/reports, etc.)?

The determination decision will be made by the HPT Team Lead. The email communication will document the decision. These decision emails need to be saved in the G-Drive and noted in PTS. If the decision regarding the historic Section 4(f) property impacts the schedule, scope or budget, this needs to be discussed with the project team and Environmental Planner. The HPT Team Lead will make or approve the decisions on all "No Use", "Exceptions", or "De Minimis" determinations. If there is a potential for a Section 4(f) property to require a Programmatic or Individual Section 4(f) evaluation, this decision will be made by the ENV Administrator.

If Section 106 consultation letters, a letter to the Official with Jurisdiction, or other report/document is needed based on the determination, the consultant and/or HPT Specialist shall prepare the draft letter, it shall then be reviewed by the HPT Team Lead for QA/QC before it is sent to consulting parties. Reference 23 CFR 774.17 to determine who the Official with Jurisdiction is.

All Individual Section 4(f) evaluations require the Attorney General's Office to review.



<u>Park, Recreation Area, or Wildlife & Waterfowl Refuge Section 4(f) Properties /</u> Environmental Planner procedures

Environmental Planners are responsible for identifying (with the assistance of the project team and consultants) parks, recreation or wildlife and waterfowl refuge Section 4(f) resources. If a potential Section 4(f) property is identified within or near a project's study area or footprint, the Environmental Planner shall send an email to the Planning Section Manager, and cc' the Senior Environmental Planner answering the following questions for their consideration:

- Why this is a Section 4(f) resource?
- Can the 4(f) resource be avoided?
- Does an exception apply?
- Is there a "Use" and if so, what type (temporary or permanent)?
- How do you propose to process it (documenting to file, writing a letter to the Official with Jurisdiction/consultation letter, or writing an analysis/reports, etc.)?

The determination decision will be made by the Planning Section Manager. The email communication will document the decision. These decision emails need to be saved in the G-Drive and noted in PTS. The Planning Section Manager will make or approve the decisions on all "No Use", "Exceptions", or "De Minimis" determinations. If there is a potential for a Section 4(f) property to require a Programmatic or Individual Section 4(f) analysis, the decision will be made by the ENV Administrator. If the decision regarding the Section 4(f) property impacts the schedule, scope or budget, this needs to be discussed with the project team.

If a letter to the Official with Jurisdiction or other report/document is needed based on the determination, the consultant or Environmental Planner shall prepare the draft letter, it shall then be reviewed by the Planning Section Manager for QA/QC before it is sent. Reference 23 CFR 774.17 to determine who the Official with Jurisdiction is.

All Individual Section 4(f) evaluations require the Attorney General's Office to review.

Public Review and Comment

Section 4(f) resources that result in a "Use" with a De Minimis impact, or "Use" that requires a Programmatic or Individual Section 4(f) evaluation require public review and comment per 23 CFR 774.5. For "De Minimis" determinations, this only applies to Section 4(f) properties that are publicly owned parks, recreation areas, wildlife and waterfowl refuges, and historic resources. This public involvement requirement can be satisfied in conjunction with other public involvement opportunities (e.g providing the information at a public meeting). If no other public involvement opportunities are planned for the particular project, the requirement can be completed by providing a 30-



day public review and comment period through the ADOT Environmental Planning website here.

The Environmental Planner is responsible for contacting the web team (via email to <u>WebUpdates@azdot.gov</u>) to upload the project and Section 4(f) information to the Environmental Planning website. The website should contain the following information for the public's consideration:

- a brief description of the project (including project name, Tracs, and Fed ID)
- a list of the Section 4(f) properties under consideration
- the draft Official with Jurisdiction letter
- a deadline of when comments are due
- the Environmental Planner's contact information (phone, email, mailing address)

Keep in mind for historic resources, some information might need to be redacted for confidentiality purposes before making the resource public. Planners should work closely with the project HPT Specialist to determine the best approach. Depending on the resource, it may not require any outreach, and others might warrant more outreach.

If an ADOT project specific website is already established, that website should provide a link to the Environmental Planning website for the Section 4(f) property public review and comment information.

The Environmental Planner is responsible for responding to any comments received. Responses should be completed in coordination with the ADOT Project Manager, and LPA contact(s) if applicable. Once the 30-day comment period is completed, any comments received should be forwarded to the Official with Jurisdiction, along with the letter, for their review, concurrence or lack of objection.

The Environmental Planner is responsible for contacting the web team (via email to WebUpdates@azdot.gov) to then remove the project information after the 30-day review period. If there are associated links on an ADOT project specific website, the Planner is also responsible for coordinating with the Web team to remove those links.

Projects That Are Not Covered By CE Assignment

For all other projects that do not fall under the CE MOU (unlisted (d) CEs, EAs and EISs), the Environmental Planner and HPT Specialist shall additionally coordinate with FHWA on all 4(f) determinations and procedures. All Section 4(f) approvals shall be made by FHWA. All letters and documents will need to be reviewed by FHWA prior to sending to the Official with Jurisdiction. All public review and comment efforts should be coordinated with FHWA.



<u>Documentation</u>

All determinations, whether made by ADOT or FHWA, shall be saved to the electronic project folder along with any applicable maps, concurrence letters, and any public comments and responses.

For additional information on Public Involvement, reference section 10.3.

11.4. Document Readability

All documents prepared or approved by ENV are public documents and can be made available to the public (exceptions include documents with confidential cultural resources information). All documents should be written clearly and concisely with accurate information. Documents should be written in plain English with no planning or engineering jargon. However, technical documents may contain highly technical terms and wording, for example the biology document will include scientific names of plant and animal species. These highly technical documents can be placed in the appendix and referenced. The main NEPA document should contain the technical conclusion. All acronyms should be spelled out with the first use. Documents shall be written using correct grammar, content, and spelling. Consultant and internally written documents shall be peer reviewed for quality and consistency.

The document preparer should follow the page limit requirements within the CEQ 1500, 1502, AASHTO and the FHWA toolkit guidance. NEPA documents should only include enough information from the technical reports to provide a rationale of how a decision was made. They can always reference the specific technical report if the reader wants more information. NEPA documents should be written clearly, concisely and based on facts, not opinion.

In short, the NEPA documents should 1) tell the story, 2) keep it brief, and 3) comply with the regulations.



12. APPENDIX

Project Data Sheet

Environmental Planning Timeframe Guidelines

NEPA Approval Diagram (ADOT NEPA Approval in Relation to Final Design)

Consultant Evaluation Form

Electronic Folder & File Labeling Guidelines

NEPA Approval Distribution Email Template

How to Create a Project in the Project Tracking System (PTS)

AIDW Guidance

Document Review Form

CE QA/QC Form

FHWA Letter Guidance



GENERAL PROJECT	· IN	FORM	ATION							
Project Name										
TRACS No.					Project No.					
Milepost		to	Milepost		District		[Type "X" to mark boxes]	Υ	N	?
LPA Project Location	:						New ROW			
Land Ownership(s)	: (ir	ndicate	ADOT ROW own	ed	or easement (tri	ibal,	, federal lands) and ac	djacer	nt	ı
On-Call Firm / Plan	ner	:								
ADOT Environment	tal	Planne	r:							
Certification of C	om	pletic	on of the Project	: D	ata Sheet (All t	ech	nical areas are com	plet	ed.)	
On-Call Signature	& D	ate:								
ADOT Environmen	tal	Plann	er Signature & Da	te	:					
-	rou	ghout th	nis form (except for cu	ıltu	ıral) may be complet	ed b	llists for course of action a y noting and dating on the ntal planner/specialist.			
Project Description	ı (Lo	ocation	n and brief project	t d	escription): NOTE	: <u>A</u>	ttach map if available.	Attac	h PA so	оре
-							ling and fee estimation	only	and m	<u>ay</u>
not represent the fin	ial c	<u>:learan</u>	ce scope of work fo	r t	<u>he subject project</u> .	•				

CLEAN WATER ACT													
No 404 permit /401 certification is needed because no potential WOTUS are located within												Yes	
the project area	۱.											163	
Potential WOTU	JS are loca	ted with	nin the	pro	oject	area, but tl	ne pr	oject will not cau	ıse a				
discharge of dre	edged or fil	l mater	ial to t	he \	WOT	US; therefo	re, n	o 404 permit or 4	101			Yes	
certification is n	needed.												
Is a Section 404	permit	No	Y	es		Unknown		Explain if					
needed?								unknown:					
404 permit	Non-	notifyin	g		NI\A/D	with PCN		Individual Per	mit				
type													
Regional Genera	Regional General Permit Non- notifying RGP with Concurrence RGP with PCN							CN					
(RGP)		RGP				Notificatio	n			NGP	WILIIP	CIN	



				CLI	EAN	WAT	ER A	СТ								
Previous JD applicable?	INO IVes I ' ' I I I I				No		Yes									
Is a 401 Certificatio type)	n nee	ded? (If y	es,	mark	N	IA	С	Cond	litional/Pr	ogr	amm	atic		Inc	lividual	
401 Certification Ag	ency	ADEQ		USEPA	١		Hopi Tribe		Huala Tri	pai ibe		NNE	PA		WMAT	
Distance of project from Outstanding, Impaired or Non-attaining waterbody: Within Within Within 1 mile: mile: 1 mile: 1						•			Over 1 mile:							
	If within ¼ mile of Impaired or Non- attaining waterbody, list name(s) and impairment(s):															
Comments: (Note he the need for a permit is					ult of	biologi	cal or co	ultur	al resource	impa	acts o	r why	ho	ours	ated for etion:	
On-Call Consultant	Signa	ture & D	ate	:												
Printed Name:																
ADOT 401/404 Coo	rdina	tor (signa	atur	e or re	cord	of ap	prova	l) &	Date:							
Printed Name:																

			BIOLO	OGICAL RESOURCES									
Υ	N	[Type "X" t	[Type "X" to mark boxes]										
	ESA Species (list):												
	Critical Habitat (list):												
		Separate	e Biology Field Re	view Recommended?									
		Arizona Wildlife Linkage present and potentially affected by scope of project? (if yes,											
		describe in Details below)											
		AZ Game and Fish Online Tool Printout Obtained? (Attach 1 st page if available)											
		Agency Coordination? (Forest/Tribal/BLM – list):											
		Species surveys anticipated? (if yes, list species):											
		Potential for herbicide use as part of project? (6 months of work in project area,											
		weedy staging areas, etc.)											
		Consulta	ition with USFWS	Sexpected (informal or f	formal)?								
Documentation Type			BE, no	BE with species	Other	[Type "X" to							
		BESF	species analyses	analyses (include details below)	(explain below)	mark boxes]							



BIOLOGICAL RESOURCES								
Details: (Include timing and duration of surveys, explanation if species or critical habitat is/are nearby but not affected.)	Estimated hours for completion:							
On-Call Consultant Signature & Date:								
Printed Name:								
ADOT Biologist (signature or record of approval) & Date:								
Printed Name:								

	HAZARDOUS MATERIALS											
Υ	N	[Type "X" to mark boxes]	Conducted/approved by	Date (mm/dd/yr)	Comments							
		PISA required										
		Asbestos/lead tests:										
Deli	iveral	ole(s) & due date(s):										
Con	Comments: Estimated hours fo completion:											
On-	Call C	Consultant Signature	& Date:									
Prin	ited N	Name:										
ADOT HazMat Specialist (signature or record of approval) & Date:												
	Printed Name:											

Atta surv					OURCES nd previous consultation if the area has a previous
Y	N	[Type "X" to mark boxes]	Υ	N	
		Consultant services requested (if yes, describe request in Comments section)			
		Prior survey			Sites in project area
		APE completely surveyed			Previous consultation
		APE partially surveyed (include details in Comments section)			All consultation attached
		Additional survey required (include details in Comments section)			New Consultation required
Prog	gramı	matic Agreement Stipulations (list the	ose th	nat ar	e applicable):



CULTURAL RESOURCES	
Agency Consultation (list):	
Tribal Consultation (list):	
Deliverable(s) & due date(s):	
Details: (Include a list of sources used for record search, a description of current conditions and a list of sites with eligibility recommendations/determinations and location(s) within pro	
Comments:	Estimated hours for completion:
We, the undersigned, concur with the above cultural records check and recommen	dation(s):
On-Call Consultant Signature & Date:	
Printed Name:	
ADOT Historic Preservation Specialist Signature & Date:	
Printed Name:	

		AIR QUALITY						
Υ	N	[Type "X" to mark boxes]						
		Air quality analysis with modeling needed						
		Qualitative air quality evaluation needed						
		Level 1: Exempt Project or Project with No Meaningful Potential MSAT Eff	ects.					
		Level 2: Project with Low Potential MSAT Effects						
		Level 3: Project with Higher Potential MSAT Effects						
	Is the Project in a Nonattainment or Maintenance area (Interagency consultation on Project							
		Level Conformity Required)						
Deli	verab	ole(s) & due date(s):						
Con	nmen	ts:	Estimated hours					
			for completion:					
On-	Call C	onsultant Signature & Date:						
Prin	Printed Name:							
ADO	ADOT Air Quality Staff (signature or record of approval) & Date:							
Prin	ted N	lame:						



		NOISE ANALYSIS							
Υ	N	[Type "X" to mark boxes]							
	Is this a Type I Project (Adding capacity or significantly altering alignment)								
		Sensitive noise receptors within 900 ft. of ROW							
		a) Noise analysis with modeling needed per ADOT Noise Abatement Requ	uirements						
	b) Qualitative noise evaluation needed								
Deli	verat	ole(s) & due date(s):							
Con	nmen	ts:	Estimated hours for completion:						
On-	Call C	onsultant Signature & Date:							
Prin	Printed Name:								
ADO	ADOT Noise Staff (signature or record of approval) & Date:								
Prin	ted N	lame:							



Timeframe Guidelines

ADOT Environmental Planning

1. Project Data Sheet (PDS)

• Planner and Technical Specialist reviews are completed concurrently. Reviewers have 5 working days to complete and return the PDS, or review and send it back for revision. Keep in mind, reviewers may have more or less time depending on whether the project is funded and ready to begin.

2. Cost estimates

• Technical Specialists and Planners have <u>7 working days</u> to review cost estimates.

3. Technical document reviews

• Technical document submittals should be reviewed and either approved or sent back with comments within 10 working days.

4. Categorical Exclusion (CE) document reviews

- Technical Specialists have <u>5 working days</u> to review their discipline within a CE document.
- Supervisor Planners have <u>5 working days</u> to complete a QA/QA review of a CE document.
- Supervisor Planners have <u>3 working days</u> to complete a QA/QC review of a Geotech CE document.

5. EA/EIS document reviews DRAFT

- 1st submittal: Technical Specialists and Planners have <u>4 weeks</u> to concurrently review their discipline within an EA/EIS.
- 2nd submittal: Technical Specialists and Planners have <u>2 weeks</u> to review their disciplines within an EA/EIS.
- Consultants: When determining a schedule, assume <u>2-3 weeks</u> for revisions of an EA/EIS.

FINAL/FONSI/ROD

- 1st submittal: Technical Specialists and Planners have <u>2-3 weeks</u> to concurrently review their discipline within an EA/EIS.
- 2nd submittal: Technical Specialists and Planners have <u>1-2 weeks</u> to review their disciplines within an EA/EIS.
- Consultants: When determining a schedule, assume 1-2 weeks for revisions of an EA/EIS.

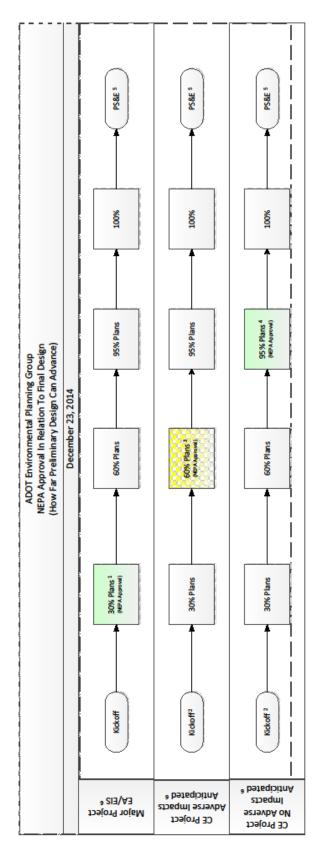
For FHWA review times, refer to the Environmental Joint Program Management Guideline. This only applies to unlisted (d)/Individual CEs, EAs and EISs.



Timeframes for additional documents needing review such as the Notice or Intent, Purpose and Need, Coordination Plan, etc. should be incorporated into the project schedule very early on. These should be agreed upon by the whole project team.

Note: working days are based
on a 5 day work week
* ANY EXCEPTIONS TO THE ABOVE INTERNAL TIMEFRAMES NEED TO BE APPROVED BY
THE PROJECT TEAM





Preliminary Design can be advanced to 30%. FONSI or Record of Decision is needed by 30% in order for FHWA to authorize Phase II Final Design funds. CE Projects are typically prepared under a single phase federal authorization and project development process. Begin NEPA at the start of the project NEPA should be attained by 60%. If the project may adversely impact environmental resources and the design team may need to consider alternatives to

avoid or minimize these impacts, then proceed cautiously past 60% design only after consulting with the EPG Planner.

No adverse impacts to environmental resources are anticipated and there are no alternatives still under consideration for avoiding or reducing impacts. Environmental should (not shall) be completed by 60%. However, if necessary, consult with the EPG Planner and proceed with design to 95%. Always keep in mind critical path issues such as needs for new right-of-way in relation to the schedule for completing NEPA.

By GP Planner reviews PS&E for all projects to ensure inclusion of all environmental commitments continued in the NEPA approval.

This graphic does <u>port represent</u> a relative timeline for project completion. Major projects with an EA or ES will take substantially longer to complete than a project with a CE. CE projects with no adverse impacts will take the shortest amount of time to complete.



CONSULTANT EVALUATION FORM



Project Name: Date:

Tracs #:

Consultant Name & Firm:

Circle one - EPG On-call or Turnkey

Interpersonal and communication skills

- 1 Was consultant responsive?
 - Circle One Excellent Good Fair Poor Very Poor
- 2 Were communications / responses completed in a timely manner?
 - Circle One Excellent Good Fair Poor Very Poor
- 3 Were communications professional, straightforward, and clear?
 - Circle One Excellent Good Fair Poor Very Poor
- 4 Did consultant cooperate with the project team?
 - Circle One Excellent Good Fair Poor Very Poor
- 5 Were changes in scope of work disseminated in a timely manner?
 - Circle One Excellent Good Fair Poor Very Poor

Expertise

Did consultant utilize appropriate staff? Were their skill sets relevant for

- 6 the project?
 - Circle One Excellent Good Fair Poor Very Poor
- 7 Did the staff meet applicable standards?
 - Circle One Excellent Good Fair Poor Very Poor
 Did consultant have an understanding of Federal, State and ADOT
- 8 policies, procedures, regulations, laws, etc.?
 - Circle One Excellent Good Fair Poor Very Poor
- 9 Did consultant require excessive oversight?
 - Circle One Excellent Good Fair Poor Very Poor

Submissions

- 10 Were submissions complete, organized, and correct?
 - Circle One Excellent Good Fair Poor Very Poor
- 11 Did the submissions comply with applicable standards?
 - Circle One Excellent Good Fair Poor Very Poor
- 12 Were multiple revisions needed?
 - Circle One Excellent Good Fair Poor Very Poor
- 13 Were cost estimates reasonable and justified?
 - Circle One Excellent Good Fair Poor Very Poor

Environmental Planning Group 2015

1



Folder & File Labeling Guidelines

ADOT Environmental Planning

February 15, 2017

All project related correspondence and documents shall be electronically stored in the shared G-drive located here: **G:\ITD\ENV\Environmental Planning Group Projects\Projects**

All folders and files shall be saved under the appropriate project route number (e.g. 010 for Interstate 10). For projects that have multiple locations throughout the state such as sign projects, they are located under the 999 project folder.

Project Folders (1st level)

The person who first has a need to electronically create/store information for a project shall create a new project folder. A project folder should begin with the ADOT TRACS number followed by the project name (e.g. H5064, Needle Mountain Rest Area). If a project does not have a TRACS number, create a folder with the project name (e.g. Hxxxx, Needle Mountain Rest Area). Revise the TRACS number once the information becomes available.

Sub-Folders (2nd level)

Sub-folders should only be created as needed. This will eliminate folders that remain empty. Please use the specific sub-folder names provided below. 3rd level sub-folders should also be created as needed. Create folder names that clearly describe the contents of the folder. A "Review Comments" folder should be created under each NEPA document folder (CE , DEA, FEA, DEIS, FEIS, Geotech). The "Review Comments" folder should only contain Technical Specialist, peer or supervisor review comments, QA/QC review comments, and the Document Review Forms. It may also contain avoidance commitment emails, or other decisions that a reviewer may need to reference (such as a district mitigation/PM scope and measure approval emails). All technical analysis should remain in their appropriate technical folders.

Individual Files

Individual files should be placed under their respective sub-folder. To maintain folder organization, group multiple files or emails into a single PDF file instead of storing individual emails. This can be completed in Microsoft Outlook. All the attachments will remain with the original emails. Having one pdf instead of multiple files allows you to easily search for specific communication topics when needed, rather than searching through individual emails in the G-drive.

All file names should begin with the TRACS number followed by the document name/type, and then the date (e.g. Tracs_DocumentName_ApprovalDate). If there are multiple drafts of the same document, differentiate them by labeling them with "draft", "final", or "approved". QA/QC review comment files should be additionally labelled with the reviewers initials (e.g. Tracs_DocumentName_ReviewerInitials_ReviewDate).

All approved technical reports, approved NEPA documents, and any decisions document related to scope, schedule budget, and process should be documented and saved to the appropriate folders. However, also be selective with what you save and store. Not every communication email needs to be



saved. If emails or files are dragged from another location into the G-drive, rename them appropriately. For example, do not leave documents that are scanned by a copier to be named as "Scanned from Xerox Multifunction Printer", or emails that are dragged into the folder that contain technical specialist comments "H8485 CE for your review", relabel the file to "H8485_BiologyCEComments_120416" or something similar. This makes it easy and clear for others that may need to access the projects folder for information – such as peer reviewers, new staff, management and FHWA.

Folder and File Organization

Keeping folders and files labeled and placed correctly in the G-drive allows for easy and quick access. **Maintaining project files and Administrative Records is a requirement per 40 CFR 1505.1[c].** Everyone is responsible for managing their own project folders and files. For more information about Administrative Records see the AASHTO Practitioner's Handbook 01.

Folder and Sub-Folder Labeling Convention

4(f)

Cultural

Parks, Recreation, Wildlife & Waterfowl Refuge

401/404

Certifications

Tribal

Jurisdiction Delineation (JD)

Individual Permit

Nationwide Permit (NWP)

NWP with a Preconstruction Notification

Mitigation Plan

6(f)

Administration

Contract

Project Data Sheet (PDS) General/Miscellaneous

Agreements

Air Quality

Air Quality Report

MSATs

PM10

Conformity

Hot Spot Analysis

Alternatives Analysis

Corridor Selection Report Alternative selection Report



Design Concept Report

Biology

Survey Reports

Biological Evaluation (BE)

BE Short Form (BESF)

Biological Opinion

Section 7 Consultation

Agency Correspondence/Communication

Native Plants

Invasive Species

Environmental Documents

Categorical Exclusion (CE)

Geotech

Environmental Assessment (EA)

Draft EA

Final EA

Finding of No Significant Impact (FONSI)

Environmental Impact Statement (EIS)

Draft EIS

Final EIS

Record of Decision (ROD)

Environmental Overview

Re-Evaluation

Supplemental Documents

Communication

Emails

Cultural

Technical Reports

Consultation Letters

Cultural Initiation Form (CIF)

Programmatic Agreements/Memorandum of Agreement

Closeout Memo

Cumulative Impacts

Engineering Documents

Plans, Specifications and Estimates (PS&E)

Farmland

Floodplain



Hazmat Preliminary Site Assessment (PISA) Reports Phase I and II Initial Site Assessments (ISA) Noise Reports Other **Project Meetings Public Involvement Public Meetings Public Hearings** Reports Letters **Contact List** Purpose & Need Riparian/Wetlands Right of Way Socioeconomic **Environmental Justice** Title VI **Economic Analysis** Secondary/Indirect Impacts Scoping Sole Source Aquifer Stakeholders Communication General/Comprehensive Plans Studies Meetings **FHWA Tribal Information** Utilities Visual



Updated 02-15-18

Distribution e-mail template for Environmental Approval

To: Project Manager and LPA Project Manager (if applicable), Steve Beasley, John Eckhardt, Lee Makler, Jennifer Henderson (if LPA project), DE, TES, DEC, FHWA Area Engineer & Environmental Coordinator (if applicable), Engineering & Environmental consultant

SUBJECT: NEPA Approval (CE) for XX-XXXX(000)/ 000 CO 000 HXXXX 01C Project Name

DON'T FORGET THE ATTACHMENT!

All,

The attached Categorical Exclusion (CE) (also available on the AIDW) was approved on xx/xx/xxxx.

The above referenced project meets the definition for a CE under 23 CFR 771.117(a) and (b), and in accordance with the FHWA/ADOT 23 U.S.C. 326 CE MOU Agreement.

The environmental planner for the project shall be consulted to determine whether the CE remains valid if there is a change in the project scope, location, or termini or where new impacts, not previously considered, may occur.

The Project Manager shall continue to send the Environmental Planner ALL plan submittals to ensure that all NEPA review and compliance requirements have been met, that the CE determination remains valid, and that the scope of work of the project has not changed and that the project incorporates all of the environmental commitments in the 100% plans and specifications.

Thank you,

<u>Name</u>

Environmental Planner



How to Create a Project in the EPG Project Tracking System (PTS)

- 1) In PTS, click "Help", then "Send a Message"
- 2) Click on the word "Submit" in "Submit a Data Change Request"
- 3) Check the button for "I want to create a new project", then click "Next"
- 4) Fill out all the data boxes then click Submit

You will receive an email that your request was sent and another email when the request is completed.



AIDW Guidance

Project Reference, Check-In a Document

- Type "AIDW" in the web address
- Click on "Intermodal" and "Project" tabs if needed
- In the Project Detail window enter or select "TRACS" hit enter on keyboard,"
- Click on the + sign next to 2.2 Environmental Documents
- Select the Up Arrow all the way to the right of the appropriate document type line
- "Browse" select the correct document
- Enter the correct document description, one can copy and paste part of or the entire file name.
- Enter the
- · Click on the "Check in" button
- Close the "Check-in screen, hit F5 to refresh the Project Reference table of contents, you should now see the document in the Project Reference

Remove a Document from the Project Reference

- Navigate to the Document in the Project Reference
- Click on the Edit Icon (icon looks like a tablet with pencil)
- Click the check box to the left of the TRACS# that the document needs to be removed from. The TRACS# is in the list 011 the bottom of the form.
- · Click the "Remove" button, The TRACS# will be removed from the list
- .Click the "Update" button, you will get a message warning you that since you've removed all the of the file/TRACS# associations, the file will be removed. Click ok.
- Close the Edit/Check-in screen and hit F5 (Refresh) on the Project Reference screen. The document should be gone now.



Document Review Form					
□ District & PM Ap□ Consultant Evalu□ Project Files Con	•	tion			
Project Name:			NEPA Due I	Date:	
Project Number: Consulting Firm:		Consultant Name:			
	Name	Date received	Date reviewed	Comments	
NEPA Planner II (P2) (Prepared By)					
NEPA Planner III (P3) (Reviewed By)					
NEPA Planner IV (P4) (FHWA Submittals)					
Cultural (indicate if ongoing consultations)					
Biology					

☐ Table 2 Exempt Project

☐ Not a Type I Project

Hazardous Materials

Air

Noise

Water Resources



Pre- Construction Activities

Activities to be completed	Responsible party	Task order received/Completed	Due date	Comments
Cultural avoidance				
Biology surveys				
Other				



CE QA/QC Checklist

Project Name:	TRACS #:	Date:
Peer Reviewer:	Environmental Planner:	

Project Information				
Yes No	Correct Project Name?			
Yes No	Correct Federal Aid Number?			
Yes No	Correct TRACS Number?			
Yes No	Correct CE Start Date?			
Yes No	Correct Estimated Cost?			
Yes No	Correct Programming Box Checked?			
Yes No	Correct Administration Box Checked?			
Yes No	Correct CE Approval Box for FMIS Checked?			
Yes No N/A	Re-Evaluation Box Checked, if applicable?			
Location and Limits				
Yes No	Route and Mile Post (MP) Limits provided, and consistent with technical reports?			
Yes No	County, City/Town and/or Nearest Landmark provided?			
Yes No	Land Ownership Provided (Will work take place in ADOT ROW, on Easement, or LPA ROW or private property)?			
Purpose and Description				
Yes No	Correct CE type selected?			
Yes No N/A	Non-Construction Box checked, if applicable?			
Yes No	Complete Scope of Work described in bullet format, and consistent with tech reports?			
Yes No	Was a statement provided on whether any New ROW or Easements are anticipated?			
Yes No N/A	Description of Traffic Restrictions, detours, and/or Construction staging provided, if applicable?			
Environmental Review Section				
Yes No	Correct Air Quality Determination selected based upon Technical Specialist email or document in folder?			
Yes No	Correct Noise Determination selected based upon Technical Specialist email or document in folder?			
Yes No	Correct Biological Resources ESA Determination selected based upon Technical Specialist email or document in folder?			
Yes No	Correct Cultural Resources Section 106 Determination selected based upon Technical Specialist email or document in folder?			
Yes No	Correct Section 4(f) Determination selected based upon Technical Specialist email, document in folder, or scope of work description?			
Yes□ No□	Correct Section 404 Clean Water Act Determination selected based upon Technical Specialist email, document in folder, or scope of work description?			



Environmental Review Section (continued)			
Yes No	Correct Section 401 Clean Water Act Determination selected based upon Technical Specialist email, document in folder, or scope of work description?		
Yes No	Correct Hazardous Material Determination selected based upon Technical Specialist email or document in folder?		
Yes No	Correct Environmental Justice/Title VI Determination selected based upon Technical Specialist email, document in folder, or scope of work description?		
Yes No	Correct Public Involvement Determination selected based upon Technical Specialist email, document in folder or scope of work description?		
Yes No N/A	Other Considerations if applicable? Ensure the appropriate documentation is in the file, for example does project impact adjacent farmlands? If so, a NRCS overview of farmland should be in the folder.		
Yes No N/A	Correct constraints checked, if applicable? These are only required for the following CE types: c(26), c(27), c(28), and based on the technical analysis in the folder.		
Yes□ No□ N/A□	Is Description box filled out for any "Yes" constraints?		
NEPA Compliance Certification			
Yes□ No□	Project meets definition of CE and does not have significant impacts?		
Yes No	Project considered unusual circumstances?		
	CE Approval		
Yes No	The Correct People signed and dated the CE?		
	CE Attachments		
Yes No	The Commitments Sheet and any permits and flyers are attached?		
Yes No	Unlisted (d), individual CE, FHWA transmittal letter created?		
Environmental Commitments			
Yes No N/A	All Correct Mitigation Measures included based upon tech analysis?		
Yes No N/A	All Correct Permits and Flyers listed as Attachments?		
G-Drive Folder Review			
Yes No	All applicable Tech Reports in G: Drive Folders?		
Yes No	The Planner Filled out the Document Review form and saved it in the "Review Comments" folder?		
Yes No	All the Tech Review comment emails have been saved to the "Review Comments" folder?		



FHWA General Letter Formatting Guidance

(Revised 5/1/2017)

General:

- Letters should be prepared on FHWA letterhead
- Use Times New Roman, 12 pt.
- Default paragraph formatting for entire letter should be 0 before and 0 after (to access paragraph formatting right click and select Paragraph, Spacing or select Format, Paragraph, Spacing from menu bar), single spaced
- One inch margin top, bottom, right, and left (to set margins select File, Page Setup, Margins from the menu bar)
- Never use Justified for text justification (to set text justification select Format, Paragraph, General, Alignment from menu bar or click on the appropriate icon on the menu bar)

Date formatting:

- The date should be added to final letters before printing
- Using "[Enter Date]" is acceptable for draft letters before the date is known
- The ADOT Planner/Specialist should email/call the FHWA Environmental Coordinator
 to select the date for the final letters on a project-by-project basis. After FHWA has
 approved the draft letters, the ADOT Planner/Specialist should inform the FHWA
 Environmental Coordinator when the completed letter package will be sent/delivered to
 FHWA and the FHWA Environmental Coordinator will respond with the date they
 would able to process/mail the letters.

FHWA header block formatting:

- Right justify
- One space between FHWA header block and recipient address
- Beneath "In Reply Refer To", the Federal Project Number should be 12 pt and the TRACS Number and accompanying information should be 10 pt.
- Include type of letter (Initial Section 106 Consultation, Scoping, etc.)
- Include the appropriate project effect finding, if applicable
- Include Section 4(f) Consultation and de minimis determinations when necessary
- Do not include HOP-AZ
- The header block should look like the following:

In Reply Refer To:

Federal Project No. ADOT TRACS No. Project Name Type of Letter



Recipient address formatting:

- Use personal title (Dr, Mr, Ms, etc.)
- Use Chairman, Chairwoman, Chairperson, not Chair (usually for use on 106 letters) after the recipient's title and name
- Inside address, the recipient's name should be proceeded by Mr., Ms., Dr., etc. followed
 by their title (Chairman, Governor, Archaeologist, etc.). Put the title on the same line as
 the recipient. (Ex: Dr. David Jacobs, Compliance Specialist)
- Spell out the state (ex. Arizona) and include zip code
- Spell out direction names (north, south, etc.) and street identifiers (avenue, street, etc.)
- Left justify
- One space between recipient address and the salutation

Salutation formatting:

- Dear < professional title or personal title if none> < last name>
- Messrs. is the proper acronym for Messieurs (the plural of Mister)
- · Use To Whom it May Concern if the recipient name is not known
- Left justify
- One space between salutation and the body (text)
- Opening salutation should be Dear Mr. Smith, Dear Governor, Dear Chairman or Dear Chairwoman. Do not use first name.

Body (text) formatting:

- Left justify
- One space between each paragraph
- Do not use hard page breaks
- When there are bullets in the letter body, the explanation sentence before the bullets should have a colon and one space between before the bullets begin
- Spell out monikers the first time they appear in the letter and for consistency use standard acronyms. Example: right-of-way (ROW), Arizona Department of Transportation (ADOT), Federal Highway Administration (FHWA)
- At end of letter include contact information (phone and email) for the ADOT Planner or Specialist. Email address should be a hyperlink (blue text and underlined)
- For letters dealing with Section 4(f) include contact information (phone and email) for both the ADOT Planner/Specialist and the FHWA Environmental Coordinator. Email address should be a hyperlink (blue text and underlined)
- All paragraphs should be spaced at zero before and after (this is accomplished by right clicking, choosing paragraph and changing the pulldown under "spacing" to zero)
- One space between last paragraph and complimentary closing ("Sincerely")
- Tables may be included in the body of letters or may be separate enclosures. Tables that
 are in landscape format or are too large/difficult to embed in the letter body should be
 separate enclosures. Tables containing restricted information (i.e. archaeological site
 locations) must be separate enclosures.
- Do not embed maps or figures within the letter body



Complimentary closing and signature block formatting:

Left justify at 3 inches over, the closing salutation should look like this as shown below:

Karla S. Petty Division Administrator

NOT:

Sincerely,

Karla S. Petty Division Administrator

- Never orphan the complimentary closing and signature block on a separate page, do the following if needed:
 - Reduce to three spaces for signature between complimentary closing and typed name.
 - Change font size of letter to 11 pt.
- · Four spaces for signature between complimentary closing and typed name
- Include Karla's middle initial Karla S. Petty
- · Use Sincerely and not Sincerely yours
- Use Division Administrator and not Arizona Division Administrator
- Two spaces between Division Administrator and the concurrence line

Concurrence line formatting (if asking for concurrence):

- Left justify
- Include Federal Project Number and name of consulting party under the concurrence line and make sure the Federal Project Number and agency name matches the information at the beginning of the letter
- Two spaces between concurrence line and Enclosure(s) (if needed)
- One space between concurrence line and cc: (if no enclosures)
- Refer to Biological Consultation Procedures for when concurrence is appropriate
- · Refer to Cultural Consultation Letter Guidance for when concurrence is appropriate

Enclosure notification formatting:

- Only include if something is enclosed with the letter
- Left justify
- If there is one enclosure for the recipient, type Enclosure
- If there are two or more enclosures for the recipient, type Enclosures
- One space between Enclosure(s) and cc:

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Do not list the enclosures

cc: (courtesy copy) and ecc: (electronic courtesy copy) formatting

- cc: is correct; do not use cc. or Cc: or CC:
- ecc: is correct
- Only include if someone is receiving a courtesy copy of the letter
- Left justify
- If the person receiving the courtesy copy is receiving the enclosure(s), the correct format is:

CC

[name] [address] (with enclosure)

- Tribal or agency contacts listed first, followed by FHWA and ADOT. The first recipient should be on the next line and left justified as shown below:
 - Tribal or Agency recipient [title and address if different from recipient address]
- If cc: is with outside consultant or other outside agency, include name of agency and address, or if address is exactly the same as Addressee, you may say that rather than retyping the entire address.
- The state (ex. AZ) can be abbreviated in the cc:
- ecc: should include recipient's name, title and email address as a hyperlink
- ecc: RYedlin/TWilson [do not include (FHWA)] as well as the ADOT Planner/Specialist
 with no mail drop

Envelope formatting:

- All letter envelopes should be addressed and mailed or hand delivered to FHWA
- The FHWA return address should be printed on envelopes as:

Federal Highway Administration Arizona Division Office 4000 N. Central Ave., Suite 1500 Phoenix, AZ 85012-3500

The letter recipient address should be printed on envelopes as:

Mr./Ms. Recipient, Title Agency/Organization Street Address City, ST 00000-0000

Enclosures:

- All enclosures should be printed and mailed or hand delivered to FHWA
- All enclosures must be labeled appropriately, including the project name, Federal Project Number and ADOT TRACS No.
- All enclosures should be in 8.5" x 11" format. 11 x 17" format is acceptable when large graphics are necessary. Do not use 8.5" x 14" or any other format.
- Please remember to include a copy of all enclosures for FHWA's use
- Do not embed maps or figures within the letter body

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Tables may be included in the body of letters or may be separate enclosures. Tables that
are in landscape format or are too large/difficult to embed in the letter body should be
separate enclosures. Tables containing restricted information (i.e. archaeological site
locations) must be separate enclosures.

Submitting project related letters to FHWA for review:

- ADOT Planner/Specialist to send email via to Environmental Coordinator and copy Area Engineer (see FHWA Area Engineer and Environmental Coordinator Contacts maps to determine appropriate contacts)
- Subject line of email must have the Federal Project Number
- All letters should be submitted for review (not only a sample letter) and must be on the FHWA letterhead
- Enclosures (i.e. maps and reports) should be submitted for review along with letters. However, plan sheets do not need to be submitted to FHWA for review.
- Email must list all enclosure(s) by general type (1. state vicinity map, 2. cultural survey report, etc.)
- After FWHA has approved the draft letters, the ADOT Planner/Specialist will send FHWA the final letters with all changes incorporated and the date added

Submitting project related letter packages to FHWA for processing:

- The ADOT Planner/Specialist or consultant should print all letters and enclosures and address envelopes and send or deliver the completed package to FHWA
- Reference the FHWA Environmental Coordinator, Federal Project Number and project name on package transmittal
- The ADOT Planner/Specialist should inform the FHWA Environmental Coordinator when the completed package will be sent/delivered to FHWA
- Interoffice mail can take up to 4 days to arrive at FHWA, if the project is a high priority hand deliver the package
- The complete package (including all letters, envelopes and enclosures) must be delivered at one time; the enclosures cannot be sent or delivered separately from the letters and envelopes
- Letters should be printed single-sided and should not be stapled
- Letters for recipients who wish to receive letters electronically (via email) only must be
 printed and submitted for FHWA to sign and scan. No printed enclosures or envelopes
 are needed for electronic-only recipients.
- Do not seal the envelopes
- Enclosures can be placed inside envelopes
- Letters should not be placed inside envelopes, so that FHWA can sign and scan the letters before mailing
- Envelopes do not need to include postage when submitted to FHWA